

BOARD OF SUPERVISORS

MINUTES

May 24, 2006

Supervisors in Attendance:

Mr. R. M. "Dickie" King, Jr.,
Chairman
Mr. Kelly E. Miller, Vice Chrm.
Mr. Edward B. Barber
Mrs. Renny Bush Humphrey
Mr. Arthur S. Warren

Mr. Lane B. Ramsey,
County Administrator

Staff in Attendance:

Colonel Carl R. Baker,
Police Department
Mr. George Braunstein,
Exec. Dir., Community
Services Board
Mr. Allan Carmody, Int.
Dir., Budget and Mgmt.
Ms. Marilyn Cole, Asst.
County Administrator
Mr. Roy Covington, Dir.,
Utilities
Ms. Mary Ann Curtin, Dir.,
Intergovtl. Relations
Mr. Jonathan Davis,
Real Estate Assessor
Mr. Wilson Davis, Dir.,
Economic Development
Ms. Rebecca Dickson,
Deputy Co. Administrator,
Human Services
Ms. Deborah Dugger,
Administrator, Youth
Group Home
Ms. Lisa Elko, CMC,
Clerk
Mr. Michael Golden, Dir.,
Parks and Recreation
Mr. John W. Harmon,
Right-of-Way Manager
Mr. Russell Harris, Mgr.
of Community Development
Services
Mr. Donald Kappel, Dir.,
Public Affairs
Ms. Mary Lou Lyle, Dir.,
Accounting
Chief Paul Mauger,
Fire and EMS Dept.
Mr. R. John McCracken,
Dir., Transportation
Mr. Richard M. McElfish,
Dir., Env. Engineering
Mr. Steven L. Micas,
County Attorney
Mr. Francis Pitaro, Dir.,
General Services
Mr. James J. L. Stegmaier,
Deputy Co. Admin.,
Management Services
Mr. M. D. Stith, Jr.,
Deputy Co. Admin.,
Community Development
Mr. Kirk Turner, Dir.,
Planning

Mr. King called the regularly scheduled meeting to order at 4:00 p.m.

1. APPROVAL OF MINUTES FOR APRIL 26, 2006

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board approved the minutes of April 26, 2006, as submitted.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

2. COUNTY ADMINISTRATOR'S COMMENTS

A video clip was played of the funeral services for Chesterfield County Police Officer Gary Buro.

Mr. Ramsey thanked Channel 6 for preparing the video and Governor Kaine for approving the use of his airplane to transport some of the county's police officers to Florida for Officer Buro's funeral.

Mr. King stated Officer Joe Diman, who was injured in the same incident, is a true hero and has the Board's continued support and prayers.

2.C. GOVERNMENT FINANCE OFFICERS' ASSOCIATION CERTIFICATE OF ACHIEVEMENT FOR THE ACCOUNTING DEPARTMENT

Mr. Ramsey stated that for the 25th consecutive year, the Accounting Department has received the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting. He recognized Ms. Lyle and members of her staff, who were present at the meeting, for this tremendous accomplishment.

2.A. PRESENTATION REGARDING CHESTERFIELD COUNTY'S TWINNING RELATIONSHIP WITH GRAVESHAM, ENGLAND

Mr. Ramsey stated the Board adopted a resolution establishing a twinning relationship with Gravesham, England in July 2005. He then introduced Ms. Dickson to provide details of the relationship.

Ms. Dickson stated the twinning relationship began as a result of Gravesham and Chesterfield's historic relationship with Pocahontas. She further stated a delegation from Gravesham, including their mayor, managing director, head of regeneration services, and town twinning officer, visited the county in December 2005 and participated in meetings regarding the future of the twinning relationship. She stated a county delegation has been invited to visit Gravesham in July 2006, indicating that the objectives for the relationship include education; tourism; economic development; and best business practices. She noted the Historical Society has donated \$2,000 to help with the cost of the trip. She stated the delegation will be accompanied by 16 students who will participate in a student exchange program. She further stated a delegation of students from

Gravesham and a government delegation from Gravesham is anticipated to visit the county in May 2007 to participate in the 2007 celebration.

Mr. Ramsey stated the county's delegation, which is comparable to the delegation that visited from Gravesham, includes the Board Chairman, County Administrator or a Deputy County Administrator, Ms. Chris Ruth and Ms. Amanda Chenault from Public Affairs, and the county's Economic Development Director.

Mr. King stated, because of sensitivity surrounding travel and expenditure of taxpayer dollars, he would like to publicly poll the Board to determine whether there is unanimous support for the trip. He further stated, if the county delegation takes the trip, he believes it would be appropriate to lay a wreath at Pocahontas' gravesite in commemoration of the 400-year celebration.

Mr. Barber stated he looks at this trip as a beginning of the 2007 celebration and believes it represents an opportunity to enrich the county's great history.

Mrs. Humphrey stated Pocahontas was one of the most significant women in the county's history, and she believes the trip is appropriate and timely. She further stated Pocahontas deserves the county's respect by laying a wreath on her grave.

Mr. Miller stated he supports the twinning relationship and believes the county delegation's visit to Gravesham is justified in every respect.

Mr. Warren stated Chesterfield's roots run deep with Great Britain and England. He further stated, when he and his wife visited Kent, England several years ago with a delegation from Hopewell, he presented mementos from Chesterfield to the mayor of Chesterfield, England. He applauded Mr. King for taking the leadership in visiting Gravesham and connecting with the county's sister city.

Mr. King stated it would be his honor to represent the county in Gravesham, England. He noted representatives from two Virginia Indian tribes will also be making the trip.

2.B. CHESTERFIELD HISTORICAL SOCIETY PRESENTATION

Mr. Peter Lipowicz, member of the Board of Directors of the Chesterfield Historical Society, presented the Board with an overview of resources of the Chesterfield Historical Society Library. He provided details of the collections of books, rare books, periodicals and manuscripts. He also provided details of the contents of the vertical file, family history file, map collection and census collection. He then provided details of the contents of various collections of scrapbooks, yearbooks, cemetery information and photographs. He stated the library has been used by the public for a variety of interesting research projects. He encouraged Board members and the public to visit the library and to donate items to the library.

Mrs. Humphrey presented Mr. Lipowicz with a bottle found by her brother from Chesterfield Lithia Company, a spring water bottling company that existed in the county after the Civil War, indicating that the bottle has been authenticated by the Richmond Antique Bottling Association.

Mr. Lipowicz thanked Mrs. Humphrey for the bottle on behalf of the Historical Society.

3. BOARD MEMBER REPORTS

Mr. King stated he emceed the Northrop Grumman groundbreaking ceremony yesterday and noted the importance of the 630 jobs the company will provide in the county.

4. REQUESTS TO POSTPONE AGENDA ITEMS AND ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION

On motion of Mr. Barber, seconded by Mr. Miller, the Board deleted Item 8.B.6., Acceptance of a Parcel of Land for an Elementary and Middle School Site from the Commonwealth of Virginia, Department of Transportation; added Item 8.B.17.a., Transfer of District Improvement Funds from the Dale District Improvement Fund to the Chesterfield County School Board for Post Prom Celebration at Meadowbrook High School; added Item 8.B.17.b., Transfer of District Improvement Funds from the Matoaca District Improvement Fund to the School Board to Purchase and Install an Awning Over the Bus Loop and Front Entrance of Ettrick Elementary School; added Item 8.B.18., Approval of an Inducement Agreement Between Northrop Grumman Information Technology, Incorporated, the County and the Economic Development Authority for Development of the Virginia Information Technologies Agency ("VITA") Facility in Meadowville Technology Park; replaced Item 9.A., Report on the Status of the General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds, and Lease Purchases; deleted Item 11., Closed Session Pursuant to Section 2.2-3711(A)(3), Code of Virginia, 1950, as Amended, to Discuss the Conveyance of Real Estate for an Economic Development Purpose Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body; added Item 15.C., Adoption of Resolution Recognizing Dr. Anthony Giordano for His Contributions to the Brandermill Community and Chesterfield County; added Item 15.D., Adoption of Resolution Recognizing Mrs. Jane Pritz for Her Contributions to the Brandermill Community and Chesterfield County; replaced Item 17.B., Public Hearing to Consider the Appropriation of Additional Funds for the Route 360 (Swift Creek to Winterpock Road) Combined Widening Project and Authorization to Award Construction Contract.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

5. RESOLUTIONS

5.A. RECOGNIZING CHESTERFIELD COUNTY POLICE OFFICER CHRISTOPHER A. WATSON FOR HIS DEDICATED SERVICE BOTH AS A POLICE OFFICER AND ARMY RESERVIST

Colonel Baker introduced Mr. Christopher Watson who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Mr. Christopher A. Watson is a Chesterfield County Police officer; and

WHEREAS, Officer Watson began his service with Chesterfield County in September 2001; and

WHEREAS, Officer Watson is also a Staff Sergeant in the U. S. Army Reserves; and

WHEREAS, Officer Watson had started training in one Chesterfield County Police recruit class when he was called up for reserve duty with the U. S. Army; and

WHEREAS, after completing his first tour of duty in Iraq, Officer Watson returned to Chesterfield County and completed his police recruit training with another police recruit training class; and

WHEREAS, Officer Watson then was called back for service in Iraq a second time; and

WHEREAS, Staff Sergeant Christopher A. Watson serves with the 319th Regiment, 80th Division; and

WHEREAS, while serving with this unit in Iraq in February 2006, Staff Sergeant Watson was seriously wounded when a roadside bomb detonated, striking the Humvee in which he was riding; and

WHEREAS, after being treated in Iraq and Germany, Staff Sergeant Watson was eventually transferred to Walter Reed Army Hospital in Washington, D.C., and then to Fort Knox, Kentucky for further medical treatment; and

WHEREAS, Staff Sergeant Watson sustained injuries to his eye, arm and leg; and

WHEREAS, Staff Sergeant Watson will require additional surgery to treat his injuries; and

WHEREAS, Officer Watson has expressed his intention to return to service as a Chesterfield County Police officer; and

WHEREAS, Officer Watson's fellow police officers, family, friends and many other supporters thank him for his military service, and extend best wishes for continued healing; and

WHEREAS, on behalf of the citizens of Chesterfield County, Virginia, this Board of Supervisors wishes Officer Christopher Watson a speedy recovery and fulfillment of his

desire to return to active service as a Chesterfield County Police officer.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, publicly recognizes Chesterfield County Police officer Christopher A. Watson for his dedicated service both as a police officer and Army reservist, and expresses its appreciation for his bravery, determination and commitment to public service.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Officer Watson, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

Mr. King presented the resolution to Mr. Watson, commended him on his courageous service, and wished him a speedy recovery.

Mr. Watson expressed appreciation to the Board, Colonel Baker and members of the Police Department for their support.

5.B. RECOGNIZING RESERVISTS FOR THEIR CONTRIBUTION TO THE WAR AGAINST GLOBAL TERRORISM

Colonel Baker introduced reservists who were present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, on September 11, 2001, the United States was stunned when terrorists hijacked airplanes and attacked the World Trade Center and the Pentagon, killing and injuring thousands of people; and

WHEREAS, as a result of these attacks, the United States military entered into a war against global terrorism; and

WHEREAS, this military response has included "Operation Noble Eagle," involving homeland defense and civil support missions; "Operation Enduring Freedom," formerly known as "Operation Infinite Justice," to destroy the terrorist training camps and infrastructure within Afghanistan, the capture of al Qaeda leaders, and the cessation of terrorist activities in Afghanistan; "Operation Vigilant Resolve," to isolate and root out the terrorist forces responsible for repeated attacks on coalition forces in Fallujah, Iraq; and "Operation Iraqi Freedom," to free the people of Iraq from years of tyranny under the Iraqi dictator Saddam Hussein, who also sponsored terrorism; and

WHEREAS, each of these operations was conducted to make the United States, and the world, a safer place; and

WHEREAS, among the hundreds of thousands of military personnel mobilized for this war effort were scores of Chesterfield County residents and employees who serve in the reserve components of the various military services; and

WHEREAS, Major Jeffry Williams, Sergeant Justin Bennett, Gunnery Sergeant Ryland T. Allen, Corporal Scott Kennedy, Corporal Aaron Rhodenizer and Sergeant Jane M. Rayner, United States Marine Corps; Lieutenant Colonel Thomas Christopher-William Parker, Lieutenant Colonel Jeff Ellick, First Lieutenant Demetrius D. Parrott and Sergeant Michael D. Rogers, United States Army; Sergeant Lavonte Davis, Sergeant Eric Jones and Specialist Christopher Allen Niles, Army National Guard; Naval Intelligence Specialist Petty Officer First Class Michael D. Oakes and Aviation Structural Mechanic First Class William Skala, United States Navy; and Lieutenant Colonel Neal Flatt, Major Edwin Vasquez and Specialist Michael P. Austin, Army Reserve; are some of the courageous Americans who answered the call to duty unflinchingly and honorably; and

WHEREAS, this Board of Supervisors supports the President and our troops, and commends the reserve military personnel who served in these military operations for their courageous service and sacrifice; and

WHEREAS, the families of these military men and women also bear a great sacrifice and uncertainty in the absence of their loved ones serving in far-off lands; and

WHEREAS, it is appropriate to recognize the courage and sacrifice of our reservists and their families during this difficult time.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, publicly recognizes the sacrifice and courage of these dedicated military reservists, and expresses its gratitude to them for making the world a safer place for freedom-loving people everywhere.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

(It is noted William Skala was unable to attend the meeting and his resolution will be forwarded to him.)

Mr. Miller presented the executed resolutions to each of the reservists present at the meeting and commended them on their sacrificial service to allow others to enjoy their freedom.

5.C. RECOGNIZING MS. SARA ROSE, VIRGINIA JUNIOR MISS 2006

Mr. Kappel introduced Ms. Sara Rose, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Junior Miss Scholarship Program is a competition in which young women are judged based on their academic achievements, talent, overall fitness in a choreographed aerobic routine, and self-expression; and

WHEREAS, the Junior Miss Scholarship Program also provides college scholarships to outstanding young women; and

WHEREAS, while in high school, these young women must have excelled in academics; been active in extracurricular activities that serve the community; must have strived to be physically fit; and must have developed a performing talent; and

WHEREAS, fourteen young ladies from Virginia participated in the 2006 Virginia Junior Miss competition; and

WHEREAS, Monacan High School senior Sara Rose participated in the Virginia Junior Miss competition in Salem, Virginia on February 25, 2006; and

WHEREAS, Ms. Rose won the title of Virginia Junior Miss 2006, along with \$4,850 in scholarships; and

WHEREAS, Ms. Rose is co-captain of Monacan High School's dance team and dance captain of the Center Stage Show Choir; and

WHEREAS, Ms. Rose is also a member of the National Honor Society and the Beta Club; and

WHEREAS, Ms. Rose is a member of the Monacan Singers, and also has earned the Girl Scout Gold Award, the highest recognition bestowed by the Girl Scouts; and

WHEREAS, Ms. Rose will travel to Mobile, Alabama in June to compete for another scholarship and the title of America's Junior Miss; and

WHEREAS, Ms. Rose plans to attend James Madison University in the fall to pursue a degree in nursing; and

WHEREAS, Ms. Rose is an outstanding representative of Chesterfield County youth.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 24th day of May 2006, publicly recognizes the exemplary achievements of Ms. Sara Rose, wishes her continued success in her academic pursuits, and is proud to have her represent Chesterfield County public schools as she continues with her higher education.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Ms. Rose, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

Mr. Warren presented the executed resolution to Ms. Rose, accompanied by her parents, congratulated her on her accomplishments, and wished her continued success.

Ms. Rose stated she is honored to be representing Chesterfield County and the State of Virginia in the national Junior Miss competition.

Mr. Barber excused himself from the meeting.

**5.D. RECOGNIZING MR. W. PRESTON COOPER FOR HIS COMMUNITY
SERVICE AS CO-CHAIRMAN OF HANDS ACROSS THE LAKE**

Mr. Kappel introduced Mr. Preston Cooper, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, since arriving in Chesterfield County in 1995, Mr. W. Preston Cooper, a Woodlake resident, has worked with Hands Across the Lake, a non-profit community group dedicated to protecting Chesterfield County water resources now and for future generations, and since 2000, has served as co-chairman of the organization; and

WHEREAS, since having moved here from another state, Mr. Cooper's public service to his adopted county has exemplified an honorable tradition of good citizenship wherever one lives, and he soon became involved with his neighborhood, his church, his local community, and Chesterfield County; and

WHEREAS, Mr. Cooper brought his talents and experience from business and industry to the task of co-chairmanship of Hands Across the Lake and has served as technical adviser in its endeavors toward natural resource conservation; and

WHEREAS, Mr. Cooper skillfully stabilized and expanded the Web site of Hands Across the Lake in order to improve its communications, and also used his skills as a photographer to document environmental features to assist citizens in understanding issues of water protection; and

WHEREAS, Mr. Cooper prepared and formatted many printed publications about water quality, including the newsletter "WATER MATTERS" for Hands Across the Lake; and

WHEREAS, Mr. Cooper used his leadership role in a sailing club to educate its members about the vital significance of the Swift Creek Reservoir as a drinking water resource as well as an amenity; and

WHEREAS, Mr. Cooper attended numerous county and state conferences in order to expand his knowledge about many facets of water resource protection in order to cooperate with the county more productively; and

WHEREAS, Mr. Cooper assisted and supported two community organizations in their efforts to change policies of open space management in order to meet the standards of the Chesapeake Bay Act more closely, and led in clean-up efforts of the difficult sections of the Genito Road Causeway; and

WHEREAS, Mr. Cooper has offered thoughtful and balanced leadership to the HAL Board and supporting members of Hands Across the Lake and has inspired many to actively work for the preservation of the Swift Creek Reservoir as a public drinking water resource; and

WHEREAS, Mr. Cooper and his wife, Mary, will be leaving Chesterfield County in order to move closer to their family, including twin granddaughters.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, publicly recognizes Mr. W. Preston Cooper for his steady and significant contributions to the betterment of his community and the protection of Swift Creek Reservoir and other waters of the county.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mr. Cooper, and that this resolution be recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: King, Miller, Humphrey and Warren.

Nays: None.

Absent: Barber.

Mr. Warren presented the executed resolution to Mr. Cooper, accompanied by his wife Mary, and Mr. Tom Pakurar, commended him on his outstanding community service, and wished him well in his future endeavors.

Mr. Pakurar expressed appreciation to Mr. Cooper for his efforts to protect the county's waters.

Mr. Cooper expressed appreciation to the Board for the recognition and also for their support of water quality in the county.

Mr. Barber returned to the meeting.

Mr. King requested that the citizen comment period be heard at this time, as there is a citizen who is present to speak who is using public transport and must leave soon.

10. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Mr. Joey Rousch expressed concerns relative to the cost of using the Van-Go service. He stated, although he understands that the price of gas has something to do with the cost of the Van-Go fare, he is requesting that the Board consider reducing the ticket price for the service.

Discussion ensued relative to the cost of using the Van Go service.

Mr. Ramsey and Mr. King requested that Ms. Dickson meet with Mr. Rousch regarding his concerns with the Van-Go service.

6. WORK SESSIONS

There were no work sessions at this time.

7. DEFERRED ITEMS

There were no deferred items at this time.

8. NEW BUSINESS

8.A. STREETLIGHT INSTALLATION COST APPROVALS

On motion of Mrs. Humphrey, seconded by Mr. King, the Board approved the following streetlight installations:

Bermuda District

- In the Forest Glenn Subdivision, on Forest Glenn Circle, in the vicinity of 1641/1645
Cost to install streetlight: \$43.46

Dale District

- On Celestial Lane, vicinity of 9101
Cost to install streetlight: \$479.16

Matoaca District

- Woodpecker Road, in the vicinity of 9301
Cost to install streetlight: \$1,171.27

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B. CONSENT ITEMS

8.B.1. REQUEST FOR A PERMIT TO STAGE A FIREWORKS DISPLAY AT THE CHESTERFIELD COUNTY FAIRGROUNDS ON JULY 4, 2006

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from the Chesterfield County Parks and Recreation Department for a permit to stage a fireworks display at the Chesterfield County Fairgrounds on July 4, 2006, with no rain date.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.2. REQUEST FOR MUSIC/ENTERTAINMENT FESTIVAL PERMIT FROM THE CHESTERFIELD COUNTY FAIR ASSOCIATION

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from the Chesterfield Fair Association for a music/entertainment festival permit for the annual Chesterfield County Fair, subject to compliance with staff recommendations.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.3. APPROVAL OF STREET-NAME CHANGE

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved the renaming of Parrish Branch Road to Clear Ridge Terrace. (It is noted a copy of the Parcel Map is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.4. ADOPTION OF RESOLUTIONS

8.B.4.b. EXPANDING THE APPROVAL OF THE RICHMOND METROPOLITAN AUTHORITY ("RMA") AS THE ENTITY TO MANAGE THE MAIN STREET STATION IN RICHMOND

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following resolution:

WHEREAS, the Richmond Metropolitan Authority ("RMA") currently manages Main Street Station pursuant to the terms of a Management Agreement (the "Management Agreement") with the City of Richmond, Virginia (the "City"); and

WHEREAS, on February 27, 2006, the Council of the City of Richmond, Virginia, approved an extension of the Management Agreement and an expansion of RMA's management responsibilities thereunder to include the operation and management of additional facilities in the vicinity of Main Street Station, and the City has formally requested that RMA undertake such additional management responsibilities; and

WHEREAS, the Board of Supervisors of Chesterfield County (the "County") desires to continue its assistance to the City in connection with the Main Street Station and its management of additional facilities in the vicinity thereof pursuant to the provisions of Section 33-255.44:13(e) of the Code of Virginia (1950), as amended.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County does hereby authorize and approve RMA's continued management of Main Street Station and its management of additional facilities in the vicinity thereof, pursuant to the provisions of Section 33-255.44:13(e) of the Code of Virginia (1950), provided that the County shall have no financial responsibility with respect to any such undertaking by RMA.

AND, BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to send certified copies of this resolution to the City Manager of the City, the County Administrator of the County of Chesterfield and the General Manager of RMA.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.4.c. RECOGNIZING MR. MARVIN D. WATERS, PARKS AND RECREATION DEPARTMENT, UPON HIS RETIREMENT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following resolution:

WHEREAS, Mr. Marvin D. Waters began his public service with Chesterfield County in 1987, in the Parks and Recreation Department, as a Groundskeeper with the Parks Division; and

WHEREAS, Mr. Waters advanced to the position of Equipment Operator in 1999, continued his service and advancement in 2001 as a Heavy Equipment Operator with the

Parks Division Construction/ Renovation Crew; and concluded his service as a Principal Maintenance Worker with the Horner Park District; and

WHEREAS, Mr. Waters retired on April 30, 2006 from the Chesterfield County Department of Parks and Recreation after 19 years of service to the citizens of Chesterfield County; and

WHEREAS, Mr. Waters has provided excellent customer service, integrity and leadership in the maintenance and development of Chesterfield County park and school facilities; and

WHEREAS, Mr. Waters has been an invaluable asset and mainstay for the Parks and Recreation Department for the past 19 years; and

WHEREAS, Mr. Waters has been responsible for and instrumental in providing some of the best constructed and maintained park and school facilities in the county by which all other facilities are measured; and

WHEREAS, Mr. Waters has been dedicated, productive and always dependable in his position responsibilities; and

WHEREAS, Mr. Waters will be greatly missed by his co-workers, supervisors, and the citizens of Chesterfield County whom he has served.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the outstanding contributions of Mr. Marvin D. Waters, expresses the appreciation of all residents for his 19 years of service to Chesterfield County, and extends appreciation for his dedicated service to the county and congratulations upon his retirement, as well as best wishes for a long and happy retirement.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.4.d. RECOGNIZING MR. CHRISTOPHER LLEWELLYN LEWIS, UTILITIES DEPARTMENT, UPON HIS RETIREMENT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following resolution:

WHEREAS, Mr. Christopher Llewellyn Lewis will retire from Chesterfield County's Utilities Department on July 1, 2006, with 30 years of dedicated and quality service; and

WHEREAS, Mr. Lewis began his public service with Chesterfield County Utilities on July 16, 1976, as a Junior Accountant, then progressed throughout his professional career to serve in capacities of Accountant, Utility Accounting Supervisor, and Principal Accountant; and

WHEREAS, during Mr. Lewis' tenure, the number of Chesterfield County Utilities' customers increased from 20,400 to 97,000, requiring the implementation of

efficiencies in policies, procedures, and processes to serve the expanding customer base; and

WHEREAS, Mr. Lewis provided ethical and sound financial service in accounting for and maintaining the fiscal records for Chesterfield County Utilities; and

WHEREAS, Mr. Lewis assisted in the preparation of the new water and wastewater financial statements for the 2002 Comprehensive Annual Financial Report in accordance with the major reporting changes required by the Governmental Accounting Financial Standards; and

WHEREAS, Mr. Lewis participated in providing information and support in the preparation of Official Statements for numerous utility revenue bond and refunding revenue bond issues; and

WHEREAS, in 2002, Chesterfield County Utilities earned a AAA bond rating from the three top rating services, Standard and Poor's, Fitch Ratings and Moody's Investors Services, on its utility department bonds making Chesterfield County Utilities one of only two water and wastewater utilities in the nation to have the highest rating from all three rating services; and

WHEREAS, Mr. Lewis obtained his Masters of Public Administration in May 1994 through the county's partnership with Virginia Commonwealth University, and he graduated from the School of Quality and Continuous Improvement in August 2000; and

WHEREAS, Mr. Lewis provided service to the Black History Month Celebration activities by serving on the Arts and Entertainment Festival and Business Breakfast committees over a number of years.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, recognizes Mr. Christopher Llewellyn Lewis and extends appreciation, on behalf of its members and the citizens of Chesterfield County, for his 30 years of exceptional service to the county.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.4.e. RECOGNIZING MRS. PHYLLIS V. PARTIN, POLICE DEPARTMENT, UPON HER RETIREMENT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following resolution:

WHEREAS, Mrs. Phyllis V. Partin began her public service with Chesterfield County as a Senior Clerk Typist/ Receptionist in the Police Department on February 18, 1986 and has faithfully served Chesterfield County for twenty years; and

WHEREAS, Mrs. Partin has served the Police Department in the capacity of Senior Clerk Typist, Secretary, and

Administrative Secretary for the Office of the Chief of Police; and

WHEREAS, Mrs. Partin was the recipient of the 1989 Police Civilian Employee of the Year Award in recognition of her dedicated work and professionalism; and

WHEREAS, Mrs. Partin also received the Mason T. Chalkley Outstanding Civilian Employee Award in 1989 for her exemplary performance; and

WHEREAS, Mrs. Partin has received numerous letters of appreciation and thanks for the excellent customer service she has provided to her fellow employees, while constantly exhibiting a positive, friendly, and helpful demeanor; and

WHEREAS, Mrs. Partin has been extremely effective in working with all groups, including the Clerk to the Board of Supervisors office, officials from surrounding localities, and the citizens of Chesterfield County; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Mrs. Partin's diligent service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, recognizes Mrs. Phyllis V. Partin and extends on behalf of its members and the citizens of Chesterfield County their appreciation for her dedicated service to the county.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.4.f. RECOGNIZING SENIOR POLICE OFFICER WILLIS J. HARVEY, POLICE DEPARTMENT, UPON HIS RETIREMENT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following resolution:

WHEREAS, Senior Police Officer Willis J. Harvey will retire from the Chesterfield County Police Department on June 1, 2006, after providing 27 years of quality service to the citizens of Chesterfield County; and

WHEREAS, Officer Harvey has faithfully served the county in the capacity of Patrol Officer and Senior Police Officer; and

WHEREAS, Officer Harvey has additionally provided his services to the Police Department by serving in the role of Evidence Technician and Field Training Officer; and

WHEREAS, Officer Harvey was recognized for his outstanding police work in the apprehension of a robbery suspect on January 2, 1998; and as a result of the apprehension, the suspect confessed to numerous other offenses, including larceny incidents in two of our surrounding jurisdictions; and

WHEREAS, Officer Harvey has received numerous letters of thanks and appreciation for assistance rendered in all types of situations; and

WHEREAS, Officer Harvey has provided the Chesterfield County Police Department with many years of loyal and dedicated service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Officer Harvey's diligent service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Senior Officer Willis J. Harvey, and extends on behalf of its members and the citizens of Chesterfield County appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

**8.B.4.g. REQUESTING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO INSTALL A TRAFFIC SIGNAL AT
AMBERLEIGH BOULEVARD/LYNCHESTER DRIVE/HULL STREET
ROAD (ROUTE 360) INTERSECTION**

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following resolution:

WHEREAS, the Chesterfield County Board of Supervisors has received a request from citizens to install a traffic signal at the Amberleigh Boulevard/Lynchester Drive/Hull Street Road (Route 360) intersection; and

WHEREAS, the developer of Amberleigh is obligated to pay for the installation of the signal if the installation is approved by the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the Virginia Department of Transportation is requested to perform a traffic signal study at this intersection and install a signal if warranted.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

**8.B.5. APPROVAL OF CHANGE ORDER FOR THE HOPKINS ROAD
DRAINAGE PROJECT**

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a change order for the Hopkins Road Drainage Project in the amount of \$50,922, and transferred \$31,488.40 from the Miscellaneous Drainage Account to the project.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.7. STATE ROAD ACCEPTANCE

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Arbor Meadows, Section 1**

● **Arbor Meadows Drive, State Route Number: 7033**

From: Ironbridge Bl., (Rt. 632)

To: 0.02 mi. E of Ironbridge Bl., (Rt. 632), a distance of: 0.02 miles.

Right-of-way record was filed on 11/19/2004 with the Office Of Clerk To Circuit Court in Pb. 149, Pg. 44,
with a width of 50 ft.

● **Arbor Meadows Drive, State Route Number: 7033**

From: 0.02 mi. E of Ironbridge Bl., (Rt. 632)

To: 0.34 mi. E of Ironbridge Bl., (Rt. 632), a distance of: 0.32 miles.

Right-of-way record was filed on 11/19/2004 with the Office Of Clerk To Circuit Court in Pb. 149, Pg. 44,
with a width of 50 ft.

● **Arbor Meadows Drive, State Route Number: 7033**

From: 0.34 mi. E of Ironbridge Bl. (Rt. 632)

To: Arbor Meadows Tr., (Rt. 7034), a distance of: 0.07 miles.

Right-of-way record was filed on 11/19/2004 with the Office Of Clerk To Circuit Court in Pb. 149, Pg. 44,
with a width of 40 ft.

● **Arbor Meadows Terrace, State Route Number: 7034**

From: Arbor Meadows Dr., (Rt. 7033)

To: Cul-de-sac, a distance of: 0.07 miles.

Right-of-way record was filed on 11/19/2004 with the Office Of Clerk To Circuit Court in Pb. 149, Pg. 44,
with a width of 40 ft.

● **Arbor Meadows Terrace, State Route Number: 7034**

From: Arbor Meadows Dr., (Rt. 7033)
To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 11/19/2004 with the Office Of Clerk To Circuit Court in Pb. 149, Pg. 44,
with a width of 40 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, New subdivision street

Statutory Reference: §33.1-229

Project: Burley Ridge

● **Longmeadow Circle, State Route Number: 5131**

From: 0.06 mi. NE of Quixton Ln., (Rt. 5755)
To: Burley Ridge Ln., (Rt. 5978), a distance of: 0.15 miles.

Right-of-way record was filed on 4/30/2004 with the Office Of Clerk To Circuit Court in Pb. 143, Pg. 39,
with a width of 60 ft.

● **Longmeadow Circle, State Route Number: 5131**

From: 0.02 mi. N of Oxley Ln., (Rt. 5756)
To: Burley Ridge Ln., (Rt. 5978), a distance of: 0.29 miles.

Right-of-way record was filed on 4/30/2004 with the Office Of Clerk To Circuit Court in Pb. 143, Pg. 39,
with a width of 60 ft.

● **Burley Ridge Lane, State Route Number: 5978**

From: Longmeadow Cr., (Rt. 5131)
To: Burley Ridge Tr., (Rt. 5979), a distance of: 0.06 miles.

Right-of-way record was filed on 4/30/2004 with the Office Of Clerk To Circuit Court in Pb. 143, Pg. 39,
with a width of 50 ft.

● **Burley Ridge Terrace, State Route Number: 5979**

From: Burley Ridge Ln., (Rt. 5978)
To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 4/30/2004 with the Office Of Clerk To Circuit Court in Pb. 143, Pg. 39,
with a width of 50 ft.

● **Burley Ridge Terrace, State Route Number: 5979**

From: Burley Ridge Ln., (Rt. 5978)
To: Cul-de-sac, a distance of: 0.09 miles.

Right-of-way record was filed on 4/30/2004 with the Office Of Clerk To Circuit Court in Pb. 143, Pg. 39,
with a width of 50 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the street described below is shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the street described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: Addition, New subdivision street

Statutory Reference: §33.1-229

Project: Echo Ridge, Section C

● **Echo Ridge Place, State Route Number: 3862**

From: Liberty Point Dr., (Rt. 4776)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 10/31/2005 with the Office Of Clerk To Circuit Court in Pb.159, Pg. 53,
with a width of 50 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the street described below is shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the street described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Genito Estates, Section F**

● **Pease Road, State Route Number: 2027**

From: 0.09 mi. E of Dew Ln., (Rt. 2030)

To: Cul-de-sac, a distance of: 0.09 miles.

Right-of-way record was filed on 8/3/2004 with the Office Of Clerk To Circuit Court in Pb. 146, Pg. 53,
with a width of 50 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways,

pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Qualla Farms, Section G**

● **Dunroming Court, State Route Number: 7029**

From: Dunroming Dr., (Rt. 5726)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3,
with a width of 40 ft.

● **Dunroming Drive, State Route Number: 5726**

From: Dunroming Ct., (Rt. 7029)

To: Hereld Green Dr., (Rt. 7030), a distance of: 0.10 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3,
with a width of 40 ft.

● **Dunroming Drive, State Route Number: 5726**

From: Hereld Green Dr., (Rt. 7030)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3,
with a width of 40 ft.

● **Hereld Green Drive, State Route Number: 7030**

From: Dunroming Dr., (Rt. 5726)

To: Stockport Dr., (Rt. 5721), a distance of: 0.19 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3,
with a width of 40 ft.

● **Stockport Drive, State Route Number: 5721**

From: Hereld Green Dr., (Rt. 7030)

To: Burnage Ct., (Rt. 7031), a distance of: 0.06 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3,
with a width of 44 ft.

● **Burnage Court, State Route Number: 7031**

From: Stockport Dr., (Rt. 5721)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3,
with a width of 40 ft.

● **Stockport Drive, State Route Number: 5721**

From: Burnage Ct., (Rt. 7031)

To: Stockport Ct., (Rt. 5724), a distance of: 0.06 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3,
with a width of 50 ft.

● **Stockport Terrace, State Route Number: 7032**

From: Stockport Dr., (Rt. 5721)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk to Circuit Court in Pb. 141, Pg. 3,
with a width of 40 ft.

● **Hereld Green Drive, State Route Number: 7030**

From: Stockport Dr., (Rt. 5721)

To: Cul-de-sac, a distance of: 0.21 miles.

Right-of-way record was filed on 2/10/2004 with the Office Of Clerk To Circuit Court in Pb. 141, Pg. 3, with
with a width of 40 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Cameron Bay, Section B**

● **Cameron Bay Drive, State Route Number: 5633**

From: Cameron Bridge Dr., (Rt. 5634)

To: Walking Path Ln., (Rt. 7025), a distance of: 0.10 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 60 ft.

● **Cameron Bay Drive, State Route Number: 5633**

From: Walking Path Ln., (Rt. 7025)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 60 ft.

● **Walking Path Lane, State Route Number: 7025**

From: Cameron Bay Dr., (Rt. 5633)

To: Summerhouse Ln., (Rt. 7028), a distance of: 0.09 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 50 ft.

● **Summerhouse Lane, State Route Number: 7028**

From: Walking Path Ln., (Rt. 7025)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 40 ft.

● **Walking Path Lane, State Route Number: 7025**

From: Summerhouse Ln., (Rt. 7028)

To: Cul-de-sac, a distance of: 0.08 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 40 ft.

● **Walking Path Lane, State Route Number: 7025**

From: Cameron Bay Dr., (Rt. 5633)

To: Walking Path Ct., (Rt. 7026), a distance of: 0.08 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 50 ft.

● **Walking Path Court, State Route Number: 7026**

From: Walking Path Ln., (Rt. 7025)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 40 ft.

● **Walking Path Lane, State Route Number: 7025**

From: Walking Path Ct., (Rt. 7026)

To: Village School Ln., (Rt. 7027), a distance of: 0.07 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 50 ft.

● **Village School Lane, State Route Number: 7027**

From: Walking Path Ln., (Rt. 7025)
To: Temp EOM, a distance of: 0.02 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 40 ft.

● **Village School Lane, State Route Number: 7027**

From: Walking Path Ln., (Rt. 7025)
To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 12/20/2004 with the Office Of Clerk To Circuit Court in Pb. 150, Pg. 27,
with a width of 40 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Collington, Section 1**

● **Collington Drive, State Route Number: 5989**

From: Springford Py., (Rt. 5717)
To: Denby Dale Dr., (Rt. 5990), a distance of: 0.28 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 54 ft.

● **Collington Drive, State Route Number: 5989**

From: Denby Dale Dr., (Rt. 5990)

To: Temp EOM, a distance of: 0.15 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 50 ft.

● **Denby Dale Drive, State Route Number: 5990**

From: Collington Dr., (Rt. 5989)

To: Brading Ln., (Rt. 5991), a distance of: 0.06 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 44 ft.

● **Forest Row Trail, State Route Number: 5998**

From: Denby Dale Dr., (Rt. 5990)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 44 ft.

● **Brading Lane, State Route Number: 5991**

From: Denby Dale Dr., (Rt. 5990)

To: Brading Ct., (Rt. 5992), a distance of: 0.05 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 44 ft.

● **Brading Court, State Route Number: 5992**

From: Brading Ln., (Rt. 5991)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 40 ft.

● **Haveridge Drive, State Route Number: 5993**

From: Brading Ln., (Rt. 5991)

To: Wivenhaust Rd., (Rt. 5994), a distance of: 0.06 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 40 ft.

● **Haveridge Drive, State Route Number: 5993**

From: Wivenhaust Rd., (Rt. 5994)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 40 ft.

● **Wivenhaust Road, State Route Number: 5994**

From: Haveridge Dr., (Rt. 5993)

To: Brading Ln., (Rt. 5991), a distance of: 0.06 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 40 ft.

● **Brading Lane, State Route Number: 5991**

From: Brading Ct., (Rt. 5992)

To: Wivenhaust Rd., (Rt. 5994), a distance of: 0.05 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88, with
a width of 44 ft.

● **Brading Lane, State Route Number: 5991**

From: Wivenhaust Rd., (Rt. 5994)

To: Ashleyville Ln., (Rt. 5995), a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 44 ft.

● **Ashleyville Lane, State Route Number: 5995**

From: Brading Ln., (Rt. 5991)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 40 ft.

● **Brading Lane, State Route Number: 5991**

From: Ashleyville Ln., (Rt. 5995)

To: Parracombe Ln., (Rt. 5996), a distance of: 0.09 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 44 ft.

● **Parracombe Lane, State Route Number: 5996**

From: Brading Ln., (Rt. 5991)

To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 44 ft.

● **Brading Lane, State Route Number: 5991**

From: Parracombe Ln., (Rt. 5996)

To: Brading Mw., (Rt. 5997), a distance of: 0.08 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 44 ft.

● **Brading Mews, State Route Number: 5997**

From: Brading Ln., (Rt. 5991)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88,
with a width of 40 ft.

● **Brading Lane, State Route Number: 5991**

From: Brading Mw., (Rt. 5997)

To: Temp EOM, a distance of: 0.01 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140, Pg. 88, with
with a width of 44 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Collington, Section 2**

● **Paddock Wood Drive, State Route Number: 5999**

From: Springfield Py., (Rt. 5717)

To: Brightstone Dr., (Rt. 6000), a distance of: 0.12 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 50 ft.

● **Paddock Wood Drive, State Route Number: 5999**

From: Brightstone Dr., (Rt. 6000)

To: Collington Dr., (Rt. 5989), a distance of: 0.10 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 50 ft.

● **Brightstone Drive, State Route Number: 6000**

From: Paddock Wood Dr., (Rt. 5999)

To: Brightstone Cr., (Rt. 6001), a distance of: 0.06 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 44 ft.

● **Brightstone Circle, State Route Number: 6001**

From: Brightstone Dr., (Rt. 6000)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 40 ft.

● **Brightstone Drive, State Route Number: 6000**

From: Brightstone Cr., (Rt. 6001)

To: Brightstone Ct., (Rt. 6002), a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 44 ft.

● **Brightstone Court, State Route Number: 6002**

From: Brightstone Dr., (Rt. 6000)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 40 ft.

● **Brightstone Drive, State Route Number: 6000**

From: Brightstone Ct., (Rt. 6002)

To: Brightstone Mw., (Rt. 6003), a distance of: 0.05 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 44 ft.

● **Brightstone Mews, State Route Number: 6003**

From: Brightstone Dr., (Rt. 6000)

To: Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 40 ft.

● **Brightstone Drive, State Route Number: 6000**

From: Brightstone Mw., (Rt. 6003)

To: Brightstone Tr., (Rt. 6004), a distance of: 0.06 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 44 ft.

● **Brightstone Terrace, State Route Number: 6004**

From: Brightstone Dr., (Rt. 6000)

To: Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92, with
with a width of 40 ft.

● **Brightstone Drive, State Route Number: 6000**

From: Brightstone Tr., (Rt. 6004)

To: Pembroke Dock Ln., (Rt. 6005), a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 44 ft.

● **Pembroke Dock Lane, State Route Number: 6005**

From: Brightstone Dr., (Rt. 6000)
To: Temp EOM, a distance of: 0.03 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 40 ft.

● **Brightstone Drive, State Route Number: 6000**

From: Pembroke Dock Ln., (Rt. 6005)
To: Cul-de-sac, a distance of: 0.11 miles.

Right-of-way record was filed on 2/4/2004 with the Office Of Clerk To Circuit Court in Pb. 140 Pg. 92,
with a width of 40 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Collington, Section 3**

● **Collington Drive, State Route Number: 5989**

From: Springford Py., (Rt. 5717)
To: Collington Tn., (Rt. 6006), a distance of: 0.09 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 50 ft.

● **Collington Turn, State Route Number: 6006**

From: Collington Dr., (Rt. 5989)

To: Cul-de-sac, a distance of: 0.07 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 40 ft.

● **Collington Drive, State Route Number: 5989**

From: Collington Tn., (Rt. 6006)

To: Collington Ct., (Rt. 6009), a distance of: 0.06 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 50 ft.

● **Tealby Drive, State Route Number: 6007**

From: Collington Dr., (Rt. 5989)

To: Tealby Ct., (Rt. 6008), a distance of: 0.04 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 40 ft.

● **Tealby Court, State Route Number: 6008**

From: Tealby Dr., (Rt. 6007)

To: Cul-de-sac, a distance of: 0.05 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 40 ft.

● **Tealby Drive, State Route Number: 6007**

From: Tealby Ct., (Rt. 6008)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 40 ft.

● **Collington Court, State Route Number: 6009**

From: Collington Dr., (Rt. 5989)

To: Temp EOM, a distance of: 0.02 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 40 ft.

● **Collington Drive, State Route Number: 5989**

From: Collington Ct., (Rt. 6009)

To: Temp EOM, a distance of: 0.01 miles.

Right-of-way record was filed on 3/10/2004 with the Office Of Clerk To Circuit Court in Pb. 142 Pg. 17,
with a width of 50 ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats
recorded in the Clerk's Office of the Circuit Court of
Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Hampton Park, Section 22**

● **Hampton Green Drive, State Route Number: 5383**

From: 0.08 mi. S of Hampton Crossing Dr., (Rt. 5822)

To: Hampton Green Cr., (Rt. 7044), a distance of: 0.03 miles.

Right-of-way record was filed on 6/21/2004 with the Office Of Clerk To Circuit Court in Pb. 145 Pg. 3,
with a width of 40 ft.

● **Hampton Green Circle, State Route Number: 7044**

From: Hampton Green Dr., (Rt. 5383)

To: Hampton Green Dr., (Rt. 5383), a distance of: 0.04 miles.

Right-of-way record was filed on 6/21/2004 with the Office Of Clerk To Circuit Court in Pb. 145 Pg. 3,
with a width of 40 ft.

● **Hampton Green Drive, State Route Number: 5383**

From: Hampton Green Cr., (Rt. 7044)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 6/21/2004 with the Office Of Clerk To Circuit Court in Pb. 145 Pg. 3,
with a width of 40 ft.

● **Hampton Green Drive, State Route Number: 5383**

From: Hampton Green Cr., (Rt. 7044)

To: Hampton Green Cr., (Rt. 7044), a distance of: 0.04 miles.

Right-of-way record was filed on 6/21/2004 with the Office Of Clerk To Circuit Court in Pb. 145 Pg. 3,
with a width of 40 ft.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

8.B.8. REQUESTS TO QUITCLAIM

8.B.8.a. A TWENTY-FOOT STORM WATER MANAGEMENT/BEST MANAGEMENT PRACTICE ACCESS EASEMENT, A VARIABLE WIDTH STORM WATER MANAGEMENT/BEST MANAGEMENT PRACTICE EASEMENT AND A SIXTEEN-FOOT DRAINAGE EASEMENT (PUBLIC) ACROSS THE PROPERTIES OF J. P. ALLISON, LLC

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a 20-foot storm water management/best management practice access easement, a variable width storm water management/best management practice easement, and a 16-foot drainage easement (public) across the properties of J. P. Allison, LLC. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

8.B.8.b. A PORTION OF A TWENTY-FOOT SEWER EASEMENT ACROSS THE PROPERTY OF 95-10 DEVELOPMENT, L.C.

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a portion of a 20-foot sewer easement across the property of 95-10 Development, L.C. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

8.B.8.c. A TWENTY-FOOT STORM WATER MANAGEMENT/BEST MANAGEMENT PRACTICE ACCESS EASEMENT, A THIRTY-FOOT STORM WATER MANAGEMENT/BEST MANAGEMENT PRACTICE EASEMENT AND A SIXTEEN-FOOT WATER EASEMENT ACROSS THE PROPERTIES OF R AND M INVESTMENTS, L.L.C.

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a 20-foot storm water management/best management practice access easement, a 30-foot storm water management/best management practice easement and a 16-foot water easement across the properties of R and M Investments, L.L.C. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

8.B.9. REQUESTS FOR PERMISSION

8.B.9.a. FROM VERONA A. SWAIM FOR AN EXISTING FENCE TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT, AN EIGHT-FOOT EASEMENT AND A TWENTY-FOOT SEWER EASEMENT ACROSS LOT 66, LELAND VILLAGE AT CHARTER COLONY, SECTION A

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from Verona A. Swaim for permission for an existing fence to encroach within a 16-foot drainage easement, an 8-foot easement and a 20-foot sewer easement across Lot 66, Leland Village at Charter Colony-Section A, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.9.b. FROM THE TRUSTEES OF BON AIR BAPTIST CHURCH TO INSTALL A PRIVATE SEWER SERVICE WITHIN A PRIVATE EASEMENT TO SERVE PROPERTY ON FOREST HILL AVENUE

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from the Trustees of Bon Air Baptist Church for permission to install a private sewer service within a private easement to serve property at 8644 Forest Hill Avenue, and authorized the County Administrator to execute the sewer connection agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.9.c. FROM KEVIN C. AND JENNIFER L. COUSINS FOR A PROPOSED WOODEN PICKET FENCE TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT, AN EIGHT-FOOT EASEMENT AND A VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT ACROSS LOT 36, THE WOODS AT SUMMERFORD, SECTION C

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from Kevin C. and Jennifer L. Cousins for permission for a proposed wooden picket fence to encroach within a 16-foot drainage easement, an 8-foot easement and a variable width temporary construction easement across Lot 36, The Woods At Summerford, Section C, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.9.d. FROM BRYAN T. AND JONIQUE M. LEWIS FOR A PROPOSED PICKET FENCE TO ENCROACH WITHIN A TWENTY-FOOT DRAINAGE EASEMENT AND AN EIGHT-FOOT EASEMENT ACROSS LOT 28, HARTLEY VILLAGE AT CHARTER COLONY

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from Bryan T. and Jonique M. Lewis for

permission for a proposed picket fence to encroach within a 20-foot drainage easement and an 8-foot easement across Lot 28, Hartley Village at Charter Colony, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.9.e. FROM JENELLE PATTON FOR AN EXISTING SHED TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT ACROSS LOT 14, BLOCK G, MEADOW OAKS, SECTION A

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from Janelle Patton for permission for an existing shed to encroach within a 16-foot drainage easement across Lot 14, Block G, Meadow Oaks, Section A, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.9.f. FROM THE SALISBURY CORPORATION FOR A PROPOSED DUMPSTER PAD TO ENCROACH WITHIN A SIXTEEN-FOOT SEWER EASEMENT ACROSS ITS PROPERTY

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from The Salisbury Corporation for permission for a proposed dumpster pad to encroach within a 16-foot sewer easement across its property, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.9.g. FROM CHRISTINE M. SCHWAB FOR LANDSCAPING TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT ACROSS LOT 51, MALLORY VILLAGE, SECTION A AT CHARTER COLONY

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from Christine M. Schwab for permission for landscaping to encroach within a 16-foot drainage easement across Lot 51, Mallory Village, Section A at Charter Colony, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.9.h. FROM HIGH SITES CONSTRUCTION, L.L.C. TO INSTALL A PRIVATE WATER SERVICE WITHIN A FIFTY-FOOT COUNTY RIGHT OF WAY TO SERVE PROPERTY ON TAPLOW ROAD

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a request from High Sites Construction, L.L.C. for

permission to install a private water service within a 50-foot county right of way to serve property at 11710 Taplow Road, subject to the execution of a license agreement, and authorized the County Administrator to execute the water connection agreement.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.10. AUTHORIZATION TO EXERCISE EMINENT DOMAIN

8.B.10.a. FOR THE ACQUISITION OF A SEWER AND WATER EASEMENT FOR KALYAN PLAZA

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board authorized the County Attorney to proceed with eminent domain for the acquisition of a 30-foot permanent sewer and water easement across property of the Heirs of Alfred Robinson, James Robinson, Katherine Robinson and Thomas Robinson, PIN 798657926600000, to extend public sewer and water to the Kalyan Plaza development. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.10.b. FOR THE ACQUISITION OF A SIXTEEN-FOOT SEWER EASEMENT AND TEN-FOOT TEMPORARY CONSTRUCTION EASEMENTS FOR CORNERSTONE ASSEMBLY OF GOD

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board authorized the County Attorney to proceed with eminent domain for the acquisition of a 16-foot sewer easement and 10-foot temporary construction easements across the property of the Heirs of William T. Moulton and Peyton Grymes, PIN 784658000000000, subject to the church executing a contract agreeing to pay all costs. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.11. SET PUBLIC HEARING DATES

8.B.11.a. TO CONSIDER AMENDMENTS TO SUBDIVISION AND ZONING ORDINANCE RELATING TO FEES

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board set the date of June 28, 2006 at 7:00 p.m. for a public hearing for the Board to consider amendments to the Subdivision and Zoning Ordinance relating to fees.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.11.b. TO CONSIDER APPROPRIATION OF ROAD CASH PROFFER FUNDS FOR THE DESIGN, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION OF TWO SEPARATE PROJECTS: NEWBY'S BRIDGE ROAD REALIGNMENT AND TURN LANE PROJECT AT JACOBS ROAD AND MCENNALLY ROAD RECONSTRUCTION PROJECT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board set the date of June 28, 2006 at 7:00 p.m. for a public hearing for the Board to consider the appropriation of \$1,403,724 in road cash proffers from Traffic Shed 7 for the Newby's Bridge Road Realignment and Turn Lane Project at Jacobs Road, the appropriation of \$770,000 in road cash proffers from Traffic Shed 12 for the McEnnally Road Reconstruction Project, and the transfer of \$121,000 in road cash proffer funds from the Newbys Bridge Road (Walmsley Boulevard to Falling Creek) Project.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.11.c. TO CONSIDER THE FY2007 THROUGH FY2012 SECONDARY ROAD SIX YEAR IMPROVEMENT PLAN; FY2007 SECONDARY ROAD IMPROVEMENT BUDGET; PROJECT DEVELOPMENT SCHEDULE FOR CHESTERFIELD ROAD FUND; DESIGNATION OF FY2007 CHESTERFIELD ROAD FUND PROJECTS; AND TRANSFER OF FUNDS

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board set the date of June 28, 2006 at 7:00 p.m. for a public hearing for the Board to consider the FY2007 through FY2012 Secondary Road Six Year Improvement Plan; the FY2007 Secondary Road Improvement Budget; the Project Development Schedule for Chesterfield Road Fund; designation of FY2007 Chesterfield Road Fund Projects; and transfer of funds from the FY2007 adopted revenue sharing match account to the Newbys Bridge Road (Walmsley Boulevard to Falling Creek) Project and to the Old Bon Air Road (at Groundhog Drive) Project.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.11.d. TO REVISE FY2006 SCHOOL BOARD OPERATING FUND APPROPRIATIONS

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board set the date of June 28, 2006 for the Board to consider increasing revenue and expenditure appropriations in the School Operating Fund by \$3,459,000.

And, further, the Board approved the reserve of up to \$9,612,500 for re-appropriation into FY2007 in various accounts, contingent on FY2006 Results of Operations.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.12. APPROVAL OF UTILITY CONTRACTS

8.B.12.a. FOR HARROWGATE MEADOWS, SECTIONS 1, 2 AND 3 AND WINDSOR HILLS, SECTION 4

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved the following Utility Contract for Harrowgate Meadows, Sections 1, 2 and 3 and Windsor Hills, Section 4, Contract Number 02-0476, which includes 6,241 L.F. ± of 10-inch to 15-inch oversized wastewater lines:

Developer: Branders Bridge, LLC (Harrowgate Meadows) and Ted L. and Fred J. Swearingen (Windsor Hills)

Contractor: Richard L. Crowder Construction Company

Contract Amount:
Estimated County Cost for Oversizing. \$25,150.00
Estimated County Cost for Offsite \$35,347.50
Estimated County Cost for Additional Work . . . \$6,580.00
Estimated Developer Cost. \$1,138,241.18
Estimated Total \$1,205,318.68

Code: (Refunds thru Connections - Oversizing) 5N-572VO-E4C
(Refunds thru Connections - Offsite) 5N-572VO-E4D
(Refunds thru Connections - Additional Work) 5N-572VO-E4D

District: Bermuda

(It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

8.B.12.b. FOR HALLSLEY, SECTION 1

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved the following utility contract for Hallsley, Section 1, Contract Number 04-0306, which includes the extension of 2,613 L.F. ± of 27-inch oversized wastewater lines:

Developer: Hallsboro Development Corporation

Contractor: Piedmont Construction Company, Inc.

Contract Amount:
Estimated County Cost for Oversizing. \$64,311.00
Estimated Developer Cost. \$1,505,303.00
Estimated Total \$1,569,614.00

Code: (Refunds thru Connections - Oversizing) 5N-572VO-E4C

District: Matoaca

(It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

8.B.13. CONVEYANCE OF AN EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY FOR UNDERGROUND CABLE ACROSS THE MATOACA HIGH SCHOOL PROPERTY TO PROVIDE SERVICE TO THE SWIFT CREEK ESTATES SUBDIVISION

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable across the Matoaca High School property to provide service to the Swift Creek Estates Subdivision. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.14. APPROPRIATION OF ADDITIONAL FUNDS, AUTHORIZATION TO ENTER INTO AN AMENDED VIRGINIA DEPARTMENT OF TRANSPORTATION/COUNTY PROJECT AGREEMENT, AND AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT FOR THE HALLOWAY AVENUE SIDEWALK ENHANCEMENT PROJECT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board appropriated \$488,485 in anticipated Virginia Department of Transportation reimbursements (\$365,670 in CMAQ funds and \$122,815 in Secondary Road Funds) for the Halloway Avenue Sidewalk Enhancement Project; authorized the County Administrator to enter into an amended Virginia Department of Transportation/county project administration agreement, acceptable to the County Attorney; and awarded an \$854,224 construction contract to Virginia Concrete.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.15. APPROVAL OF DESIGN; AUTHORIZATION TO PROCEED WITH RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION; AND AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT FOR THE REAMS ROAD/ADKINS ROAD TURN LANE PROJECT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved the south-side widening design of the Reams Road/Adkins Road Turn Lane Project; authorized staff to acquire right-of-way for the project, including advertising of an eminent domain public hearing if necessary; and awarded a construction contract, up to \$530,000, to the lowest responsible bidder.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.16. APPROVAL OF A CONTRACT BETWEEN THE COUNTY AND INNOVATION RESEARCH AND TRAINING, INCORPORATED FOR EVALUATION AND RESEARCH SERVICES RELATED TO THE DRUG COURT

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved a \$75,000 contract between the county and Innovation

Research and Training, Incorporated ("IRT") for evaluation and research services related to the Drug Court.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.17. TRANSFER OF DISTRICT IMPROVEMENT FUNDS

8.B.17.a. FROM THE DALE DISTRICT IMPROVEMENT FUND TO THE CHESTERFIELD COUNTY SCHOOL BOARD FOR THE POST-PROM CELEBRATION AT MEADOWBROOK HIGH SCHOOL

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved the transfer of \$1,000 from the Dale District Improvement Fund to the Chesterfield County School Board for the post-prom celebration at Meadowbrook High School, subject to the conditions described in the papers of this Board.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.17.b. FROM THE MATOACA DISTRICT IMPROVEMENT FUND TO THE CHESTERFIELD COUNTY SCHOOL BOARD TO PURCHASE AND INSTALL AN AWNING OVER THE BUS LOOP AND FRONT ENTRANCE OF ETTRICK ELEMENTARY SCHOOL

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved the transfer of \$3,000 from the Matoaca District Improvement Fund to the Chesterfield County School Board to purchase and install an awning over the bus loop and front entrance of Ettrick Elementary School.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

8.B.18. APPROVAL OF AN INDUCEMENT AGREEMENT BETWEEN NORTHROP GRUMMAN INFORMATION TECHNOLOGY, INCORPORATED, THE COUNTY AND THE ECONOMIC DEVELOPMENT AUTHORITY FOR DEVELOPMENT OF THE VIRGINIA INFORMATION TECHNOLOGIES AGENCY ("VITA") FACILITY IN MEADOWVILLE TECHNOLOGY PARK

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board approved an Inducement Agreement between Northrop Grumman Information Technology, Incorporated, the county and the Economic Development Authority for development of the VITA facility. (It is noted a copy of the Inducement Agreement is filed with the papers of this Board.)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

The following item was removed from the Consent Agenda for Board discussion:

8.B.4.a. CONFIRMING PROCEEDINGS OF THE CHESTERFIELD ECONOMIC DEVELOPMENT AUTHORITY FOR FINANCING OF REVENUE BONDS FOR SAINT MICHAEL'S EPISCOPAL SCHOOL IN AN AMOUNT NOT TO EXCEED \$4,750,000 TO CONSTRUCT AND EQUIP A NEW MIDDLE SCHOOL BUILDING APPROXIMATELY 22,000 SQUARE FEET AND LOCATED AT 10510 HOBBY HILL ROAD IN BON AIR

Mr. King inquired whether the requested action would reduce the county's capacity to finance revenue bonds by helping another jurisdiction.

Mr. Micas stated if the Board confirms the decision of the Chesterfield EDA to finance Saint Michael's debt, it will not affect the county's credit rating, debt capacity, or compliance with its own debt policies.

Mr. Miller inquired whether the Chesterfield EDA has a limit on the amount of revenue bonds it can issue.

Mr. Chris Culp from Hunton and Williams, bond counsel for the Saint Michael's financing, stated counties do not have a limitation on an aggregate amount of debt that can be outstanding at one time, and there is no statewide limit on the EDA's capacity to issue debt.

Mrs. Humphrey inquired why Saint Michael's made this request of Chesterfield rather than Richmond.

Mr. Micas stated the Richmond EDA has been disbanded. He further stated state law does allow other localities' EDAs to issue debt outside of their localities, and Chesterfield has done this on several occasions.

Mr. King stated the Richmond City Council supported this unanimously. He noted Saint Michael's does have one school facility located in the county.

On motion of Mr. Barber, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, the Economic Development Authority of the County of Chesterfield (the "Authority"), on April 20, 2006, adopted an inducement resolution (the "Inducement Resolution") wherein the Authority agreed to issue its revenue bonds in an aggregate principal amount not to exceed \$4,750,000 (the "Bonds"), for the benefit of St. Michael's School or an affiliate of St. Michael's School (the "School"), the proceeds of which are to be used, together with other available funds of the School, to finance (a) the construction and equipping of a new middle school building of approximately 22,000 square feet and the infrastructure associated therewith, including stabilization of an existing dam; construction of roads, parking areas and a comfort building; installation of utilities and preparation of a new athletics' field, all located at 10510 Hobby Hill Road in the City of Richmond, Virginia, and (b) capitalized interest and costs of issuance of the Bonds (collectively, the "Project"); and

WHEREAS, the Bonds will be issued pursuant to the Virginia Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), and will be limited obligations of the Authority payable solely from the revenues and receipts derived from payments provided by the School; and

WHEREAS, on April 20, 2006, pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the Authority held a public hearing concerning the proposed issuance of the Bonds; and

WHEREAS, the Authority has recommended and requested that the Board of Supervisors (the "Board") of Chesterfield County, Virginia (the "County") approve the issuance of the Bonds to comply with Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, copies of the following documents have been filed with the Board: (i) the Inducement Resolution; (ii) notice of public hearing published once a week for two consecutive weeks; (iii) a summary of the proceedings of the public hearing; and (iv) the fiscal impact statement of the School.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

1. The Board hereby approves the issuance of the Bonds by the Authority for the benefit of the School, to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Act, to permit the Authority to assist in the financing of the Project.

2. Approval of the issuance of the Bonds as required by Section 147(f) of the Code does not constitute an endorsement of the Bonds or the creditworthiness of the School and, as required by Section 15.2-4908 of the Act, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith or credit nor the taxing power of the Commonwealth of Virginia, the County or the Authority shall be pledged thereto.

3. The Board hereby authorizes and directs the Clerk of the Board to forward a certified copy of this resolution to the Authority.

4. This resolution shall take effect immediately upon its adoption.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

9. REPORTS

9.A. REPORT ON STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

9.B. REPORT ON DEVELOPER WATER AND SEWER CONTRACTS

9.C. REPORT ON ROADS ACCEPTED INTO THE STATE SECONDARY SYSTEM

9.D. REPORT OF PLANNING COMMISSION SUBSTANTIAL ACCORD DETERMINATION FOR NEW CINGULAR WIRELESS PCS, LLC

9.E. REPORT OF PLANNING COMMISSION SUBSTANTIAL ACCORD DETERMINATION FOR LARRY H. BICKINGS: COMMUNICATIONS TOWER

On motion of Mrs. Humphrey, seconded by Mr. King, the Board accepted the following reports: a Report on the Status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds, and Lease Purchases; a Report on Developer Water and Sewer Contracts; a Report of Planning Commission Substantial Accord Determination for New Cingular Wireless PCS, LLC; and a Report of Planning Commission Substantial Accord Determination for Larry H. Bickings: Communications Tower.

And, further, the following roads were accepted into the State Secondary System:

<u>ADDITION</u>	<u>LENGTH</u>
<u>Beulah Oaks, Section 1</u>	
Beulah Oaks Lane (Route 5927) - From Stately Oak Drive (Route 5926) to Cul-de-sac	0.04 Mi.
Beulah Oaks Lane (Route 5927) - From Stately Oak Road (Route 9526) to Cul-de-sac	0.06 Mi.
Stately Oak Road (Route 5926) - From Hopkins Road (Route 637) to Beulah Oaks Lane (Route 5927)	0.26 Mi.
<u>Montclair, Section 2</u>	
Elkington Court (Route 5919) - From Elkington Drive (Route 5918) to Cul-de-sac	0.05 Mi.
Elkington Drive (Route 5918) - From Greyshire Drive (Route 5571) to Elkington Court (Route 5919)	0.11 Mi.
Elkington Drive (Route 5918) - From Elkington Court (Route 5919) to Cul-de-sac	0.05 Mi.
Greyshire Drive (Route 5571) - From Elkington Drive (Route 5918) to Cul-de-sac	0.09 Mi.
Greyshire Drive (Route 5571) - From Montshire Lane (Route 5706) to Elkington Drive (Route 5918)	0.11 Mi.

Newbys Mill, Section A

Newbys Mill Court (Route 5944) - From Newbys Mill Drive (Route 5942) to Cul-de-sac 0.04 Mi.

Newbys Mill Drive (Route 5942) - From Newbys Mill Terrace (Route 5943) to Shepherds Mill Drive (Route 5895) 0.16 Mi.

Newbys Mill Drive (Route 5942) - From Newbys Bridge Road (Route 649) to Newbys Mill Terrace (Route 5943) 0.04 Mi.

Newbys Mill Terrace (Route 5943) - From Newbys Mill Drive (Route 5942) to Cul-de-sac 0.06 Mi.

Shepherds Mill Drive (Route 5895) - From Newbys Mill Drive (Route 5942) to Cul-de-sac 0.05 Mi.

Shepherds Watch Drive (Route 5895) - From Newbys Mill Drive (Route 5942) to 0.04 mile north of Newbys Mill Drive (Route 5942) 0.04 Mi.

Perdue Springs Drive

Perdue Springs Drive (Route 5907) - From Jefferson Davis Highway (Route 1/301) to 0.11 mile west of Jefferson Davis Highway (Route 1/301) 0.11 Mi.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

12. DINNER

On motion of Mr. King, seconded by Mr. Miller, the Board recessed to the Administration Building, Room 502, for dinner.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

Reconvening:

13. INVOCATION

Reverend Margaret Kutz, Senior Pastor of Chester United Methodist Church, gave the invocation.

14. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Eagle Scout Malachi Hughes led the Pledge of Allegiance to the flag of the United States of America.

15. RESOLUTIONS

15.A. RECOGNIZING MR. LOGAN VIDAL FOR HIS LEADERSHIP ABILITIES

Mr. Kappel introduced Mr. Logan Vidal who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Mr. Logan Vidal is a sophomore at Clover Hill High School; and

WHEREAS, Mr. Vidal has been participating in programs offered by The First Tee of Chesterfield for approximately five years; and

WHEREAS, along with playing golf, Mr. Vidal took classes in Life Skills, completing all of the Life Skills Certification classes that are part of The First Tee's program; and

WHEREAS, after undergoing this training, Mr. Vidal was selected to attend a Life Skills Academy at Kansas State University; and

WHEREAS, at that academy, students meet and work with other participants from all over the United States; and

WHEREAS, this program hones the Life Skills training completed at The First Tee, and teaches other core values; and

WHEREAS, these core values include sportsmanship, confidence, honesty, integrity, patience, respect, responsibility, courtesy and perseverance; and

WHEREAS, being selected for this training is extremely prestigious and reflects well on Mr. Vidal, his family, and on Chesterfield County Schools.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, publicly recognizes the outstanding example set by Mr. Logan Vidal, commends him for his demonstrated leadership abilities, and wishes him continued success in all his endeavors.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mr. Vidal, and that this resolution be recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

Mr. Warren presented the executed resolution to Mr. Vidal, accompanied by members of his family, commended him on his outstanding leadership skills, and wished him success in his future endeavors.

Mr. Vidal expressed appreciation to the Board for the recognition and also to his parents and First Tee staff for their support.

15.B. RECOGNIZING BOY SCOUTS UPON ATTAINING THE RANK OF
EAGLE SCOUT

15.B.1. MR. DAVID BULMAN, MATOACA DISTRICT

15.B.2. MR. MATTHEW LEAHY, MATOACA DISTRICT

15.B.3. MR. MICHAEL MAGUIRE, MATOACA DISTRICT

15.B.4. MR. SHAWN BUTTON, MATOACA DISTRICT

15.B.5. MR. JOHN TURNER, MATOACA DISTRICT

15.B.6. MR. FRED ANGEL, MATOACA DISTRICT

15.B.7. MR. MALACHI HUGHES, BERMUDA DISTRICT

Mr. Kappel introduced Mr. Michael Maguire, Mr. Shawn Button, Mr. John Turner, Mr. Fred Angel and Mr. Malachi Hughes, who were present to receive resolutions.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to their community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law

Mr. David Christopher Bulman and Mr. Matthew Ryan Leahy, Troop 806, sponsored by Woodlake United Methodist Church; Mr. Michael F. Maguire, Mr. Shawn P. Button, Mr. John N. Turner and Mr. Fred O. Angel, all of Troop 860, sponsored by Woodlake United Methodist Church; and Mr. Malachi Andrew Hughes, Troop 826, sponsored by The Church of Jesus Christ of Latter Day Saints, have accomplished those high standards of commitment and have reached the long-sought goal of Eagle Scout which is received by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through their experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare themselves for roles as leaders in society, David, Matthew, Michael, Shawn, John, Fred and Malachi have distinguished themselves as members of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 22nd day of May 2006, hereby extends its congratulations to Mr. David Christopher Bulman, Mr. Matthew Ryan Leahy, Mr. Michael F. Maguire, Mr. Shawn P.

Button, Mr. John N. Turner, Mr. Fred O. Angel and Mr. Malachi Andrew Hughes, and acknowledges the good fortune of the county to have such outstanding young men as its citizens.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

(It is noted Mr. Bulman and Mr. Leahy were unable to attend the meeting and their resolutions will be forward to them.)

Mrs. Humphrey and Mr. King presented executed resolutions to Mr. Maguire, Mr. Button, Mr. Turner, Mr. Angel and Mr. Hughes, accompanied by members of their families, congratulated them on their outstanding achievement, and wished them well in their future endeavors.

Mr. Angel expressed appreciation to his parents and his scoutmasters for their support. He also thanked Mrs. Humphrey for her support and presented her with a bouquet of flowers.

Mr. Button expressed appreciation to the Board for the recognition and also to his parents, fellow scouts and scout leaders for their support.

Mr. Maguire expressed appreciation to the Board for the recognition and also to his mother and scoutmasters for their support.

Mr. Hughes expressed appreciation to the Board for the recognition and also to his scoutmasters, parents and brother for their support.

Mr. Turner expressed appreciation to his parents and scoutmasters for their support.

Mr. Barber excused himself from the meeting.

15.C. RECOGNIZING DR. ANTHONY GIORDANO FOR HIS CONTRIBUTIONS TO THE BRANDERMILL COMMUNITY AND CHESTERFIELD COUNTY

Mr. Kappel introduced Dr. Anthony Giordano who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Brandermill is one of Chesterfield County's premier communities; and

WHEREAS, the Brandermill Community Association helps to guide the Brandermill community in its continuing efforts to provide an excellent lifestyle for its residents; and

WHEREAS, Dr. Anthony Giordano served on the Brandermill Community Association's Board of Directors for a three-year term; and

WHEREAS, during the last year of his term, Dr. Giordano served as president of the Brandermill Community Association; and

WHEREAS, Dr. Giordano was a champion for equal rights for residents and commercial property owners by working toward "one tier" voting; and

WHEREAS, Dr. Giordano helped to obtain Virginia Waste Services as the preferred trash service, thereby saving residents money each quarter; and

WHEREAS, Dr. Giordano demonstrated his leadership skills as he worked through school site issues; and

WHEREAS, Dr. Giordano was instrumental in obtaining a marina lease agreement; and

WHEREAS, Dr. Giordano kept Brandermill's homeowner assessments at a 2.5 percent increase for 2006, and worked within the 2005 budget while fully funding the association's reserves; and

WHEREAS, Dr. Giordano promoted the association's quarterly meetings to county officials, helping to keep vital lines of communication open; and

WHEREAS, in all of these ways and many others, Dr. Giordano has left his mark on Brandermill and Chesterfield County in an extremely positive way that will continue to have a beneficial effect for years to come.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, publicly recognizes Dr. Anthony Giordano, extends its sincere appreciation, on behalf of all Chesterfield County residents, for his civic-minded spirit, leadership and pursuit of excellence, which have made Chesterfield County a better place in which to live, work and enjoy life, and extends all best wishes to Dr. Giordano for continued success in all his endeavors.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

Absent: Barber.

Mr. Warren presented the executed resolution to Dr. Giordano and expressed appreciation for his contributions to the Brandermill community, as well as the county.

Dr. Giordano expressed appreciation to the Board for the recognition and also to his wife, Brandermill Community Manager Jane Pritz, and others for their support.

15.D. RECOGNIZING MRS. JANE PRITZ FOR HER CONTRIBUTIONS TO THE BRANDERMILL COMMUNITY AND CHESTERFIELD COUNTY

Mr. Kappel introduced Mrs. Jane Pritz who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Brandermill is one of Chesterfield County's premier communities; and

WHEREAS, Mrs. Jane Pritz has served as community manager of Brandermill since September 2005; and

WHEREAS, Mrs. Pritz's tenure as community manager has been characterized by exceptional communications between the

Brandermill community and the Chesterfield County government;
and

WHEREAS, during February and March of 2006, the Brandermill community, and the entire region, was saddened by the loss of two youths who drowned while boating in the Swift Creek Reservoir; and

WHEREAS, Mrs. Pritz was actively involved as a liaison between Brandermill and the county's public safety personnel during the extensive search and recovery operations in the reservoir; and

WHEREAS, Mrs. Pritz made all of Brandermill's community assets available to assist in the search and recovery; and

WHEREAS, Mrs. Pritz was an effective conduit for information between the county and the Brandermill community and Brandermill Association Board of Directors in these difficult days; and

WHEREAS, Mrs. Pritz also dealt effectively with the challenges of a Regatta Point resident's stand off with authorities and with vandalism that took place in the fall of 2005; and

WHEREAS, Mrs. Pritz has been, through all these challenges, a steadying force and an excellent communicator.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 24th day of May 2006, publicly recognizes Mrs. Jane Pritz, and extends its sincere appreciation, on behalf of all Chesterfield County residents, for her civic-minded spirit, leadership and pursuit of excellence, which have made Chesterfield County a better place in which to live, work and enjoy life.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

Mr. Warren presented the executed resolution to Mrs. Pritz, expressed appreciation for her contributions to the Brandermill community and stated he looks forward to continuing working with her.

Mrs. Pritz expressed appreciation to the Board for the recognition and also to Dr. Giordano for his leadership and her husband for his support.

Mr. Barber returned to the meeting.

**16. REQUESTS FOR MANUFACTURED HOME PERMITS AND REZONING
PLACED ON THE CONSENT AGENDA TO BE HEARD IN THE
FOLLOWING ORDER: - WITHDRAWALS/DEFERRALS - CASES WHERE
THE APPLICANT ACCEPTS THE RECOMMENDATION AND THERE IS NO
OPPOSITION - CASES WHERE THE APPLICANT DOES NOT ACCEPT
THE RECOMMENDATION AND/OR THERE IS PUBLIC OPPOSITION
WILL BE HEARD AT SECTION 18**

05SN0185

In Midlothian Magisterial District, COMMERCIAL LAND DEVELOPMENT requests rezoning and amendment of zoning

district map from Agricultural (A) to General Industrial (I-2) with Conditional Use to permit commercial uses and Conditional Use Planned Development to allow exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for light industrial/flex uses. This request lies on 36.4 acres fronting approximately 1,100 feet on the south line of Midlothian Turnpike, also fronting in two (2) places for a total of approximately 730 feet on the west line of Otterdale Road and located in the southwest quadrant of the intersection of these roads. Tax IDs 720-709-6011; 721-708-2383; and 721-709-2704 and 3240.

Mr. Turner stated staff is recommending that Case 05SN0185 be remanded to the Planning Commission because of substantial changes since the Planning Commission's hearing of the request.

Mr. Jim Theobald, representing the applicant, stated he supports the request being remanded to the Planning Commission.

Mr. William Shewmake, representing one of the landowners, stated he supports staff recommendation to remand the request to the Planning Commission.

Mr. King called for public comment.

No one came forward to speak to staff's recommendation to remand the request to the Planning Commission.

Mr. Barber stated the applicant has actually requested that the case be remanded to the Planning Commission since the Board's time limit to dispense of the case has expired. He further stated if the landowners are able to resolve their issues within the next two weeks, he would like to have the case double advertised and brought back to the Board if the advertising deadlines can be met.

Mr. Barber then made a motion, seconded by Mr. King, for the Board to remand Case 05SN0185 to the Planning Commission.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

Mr. King reminded the public that they would have a three-minute time limit to speak to zoning cases, and the applicant would be allowed 15 minutes to present the case and five minutes for rebuttal, which is consistent with the Planning Commission's procedures.

06SN0119

In Bermuda Magisterial District, DSRA, LLC requests rezoning and amendment of zoning district map from Agricultural (A) and General Business (C-5) to Community Business (C-3). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for commercial use. This request lies on 4.1 acres fronting approximately 390 feet on the south line of West Hundred Road, also fronting approximately 900 feet on the west line of Interstate 95 ramp and located in the southwest quadrant of the intersection of

these roads. Tax IDs 800-653-Part of 4668 and 800-654-2833, 4223 and Part of 2613 and Part of 5211.

Mr. Turner stated staff is recommending that Case 06SN0119 be remanded to the Planning Commission because of the changes that have taken place since the Planning Commission's hearing of request.

Mr. King stated staff has recommended that the case be remanded, but he wants to defer it for 60 days.

Mr. Dean Hawkins, representing the applicant, stated there has been some development in the past 48 hours relative to transportation issues with this case. He further stated he was unaware that staff was recommending that the case be remanded to the Planning Commission, indicating that the applicant would accept a 60-day deferral.

Mr. King called for public comment.

Mr. Roger Habeck, representing one of the parties affected by the case, stated he feels there is a potential solution suitable to everyone involved, and he agrees that a 60-day deferral would move the request forward in the best way. He further stated the case would lose valuable momentum and the parties involved would not be well served by remanding the request to the Planning Commission.

There being no one else to speak to the remand or deferral, the public hearing was closed.

On motion of Mr. King, seconded by Mr. Miller, the Board deferred Case 06SN0119 until July 26, 2006.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

06SN0121

In Dale Magisterial District, DOMINION PROPERTY SERVICES requests rezoning and amendment of zoning district map from Agricultural (A) to Residential Townhouse (R-TH). Residential use of up to 8.0 units per acre is permitted in a Residential Townhouse (R-TH) District. The Comprehensive Plan suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre. This request lies on 29.9 acres fronting approximately 1,700 feet on the north line of Genito Road approximately 200 feet east of Price Club Boulevard. Tax IDs 747-681-7089; 747-682-7022 and Part of 4858; and 748-681-0499.

Mr. Turner stated Mr. Miller has requested a deferral of Case 06SN0121 until June 28, 2006.

Ms. Ashley Harwell, representing the applicant, stated the recommendation for deferral is acceptable.

Mr. King called for public comment.

No one came forward to speak to the deferral.

On motion of Mr. Miller, seconded by Mr. Barber, the Board deferred Case 06SN0121 until June 28, 2006.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

06SN0225

In Bermuda Magisterial District, TORSTEN PETERSON TRUSTEE requests rezoning and amendment of zoning district map from Agricultural (A) and Light Industrial (I-1) to Community Business (C-3). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for light industrial use. This request lies on 4.3 acres fronting approximately 320 feet on the north line of Bermuda Hundred Road approximately 510 feet east of Kingston Avenue. Tax IDs 820-652-1338 and 2728.

Mr. Turner stated Mr. King is requesting a deferral until September 27, 2006.

Mr. King stated the applicant is not present, but he has spoken with the applicant, who indicated his acceptance of the recommended 120-day deferral.

Mr. King then called for public comment.

No one came forward to speak to the deferral.

On motion of Mr. King, seconded by Mr. Miller, the Board deferred Case 06SN0225 until September 27, 2006.

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

06SN0155 (Amended)

In Midlothian Magisterial District, CONTINENTAL 184 FUND LLC requests rezoning and amendment of zoning district map from Community Business (C-3), Residential (R-7) and Agricultural (A) to Regional Business (C-4) with Conditional Use to permit multifamily residential uses and a Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for regional mixed use and medium density residential use of 1.51 to 4.0 units per acre. This request lies on 70.1 acres fronting approximately 400 feet on the south line of Robious Road approximately 1,780 feet on the north line of Koger Center Boulevard and approximately 800 feet on the west line of Old Farm Road. Tax IDs 742-711-0925 and Part of 6653; 742-712-4671, 9467 and 9735; 742-713-8076 and 9753; 743-711-Part of 7937; 743-712-1198; and 743-713-0527.

Mr. Turner stated the request was double advertised and the Planning Commission failed to take action; therefore, staff has requested a deferral of Case 06SN0155 until July 26, 2006.

The applicant was not present.

Mr. King called for public comment.

No one came forward to speak to the deferral.

On motion of Mr. Barber, seconded by Mr. Miller, the Board deferred Case 06SN0155 until July 26, 2006.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

06SN0174

In Clover Hill Magisterial District, KEVIN BOTTOMS requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for single family residential use of 2.0 units per acre or less. This request lies on 14.2 acres lying off the northeastern terminus of St. Elizabeth Drive, also lying approximately 600 feet off the northern terminus of Temie Lee Parkway. Tax ID 724-672-Part of 9387.

Mr. Turner presented a summary of Case 06SN0174 and stated the Planning Commission and staff recommend approval and acceptance of the proffered conditions.

Mr. Andy Scherzer, representing the applicant, stated the recommendation is acceptable.

Mr. King called for public comment.

No one came forward to speak to the request.

In response to Mr. Warren's question, Mr. McElfish stated the proffered conditions relative to protection of the environment through BMPs are acceptable to staff.

On motion of Mr. Warren, seconded by Mr. Miller, the Board approved Case 06SN0174 and accepted the following proffered conditions:

1. Public water and wastewater shall be used. (U)
2. The applicant, subdivider, or assignee(s) shall pay the following, for infrastructure improvements within the service district for the property, to the county of Chesterfield prior to the issuance of building permit:
 - A. \$15,600.00 per dwelling unit, if paid prior to July 1, 2006; or
 - B. The amount approved by the Board of Supervisors not to exceed \$15,600.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift building cost index between July 1, 2005, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2006.
 - C. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)

3. The maximum density of this development shall not exceed twenty five (25) dwelling units. (P)
4. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)
5. BMPs.
 - a) The developer shall convert the existing SWM/BMP device by constructing Phase II of the original design, as shown on the plans titled Walgreen's - Spring Run, prepared by Balzer and Associates Inc. and dated September 19, 2000 and revised May 23, 2001. (EE)
 - b) The BMP referenced in 5.a. shall be designed and constructed to accommodate runoff from the property and Clover Hill High School. All drainage except that which drains to 724-672-8102 (commonly known as Aunt Sarah's) and that which drains from the northern portion of the subject property shall be directed through this BMP. At a minimum, the BMP shall be fenced so as to only allow access from Tax ID 726-673-1225 (Clover Hill High School) and shall be designed with both safety and aquatic benches. The design of the fence, safety bench and aquatic bench shall be approved by the Planning and Environmental Engineering Departments. (P & EE)
 - c) The following easements shall be dedicated to and for the benefit of Chesterfield County, in a form acceptable to the County:
 - i. A fifty (50) foot easement, north of the SWM/BMP, from the northern boundary of the SWM/BMP north for the remaining length of the eastern Property line. Except where necessary to accommodate utility extensions, there shall be no clearing or grading within this easement. If clearing or grading is necessary to accommodate utility extensions, measures shall be taken to minimize the amount of tree removal within the easement. A minimum of one (1) week prior to clearing, the owner/developer shall flag the limits of clearing for inspection by the Planning, Utilities and Environmental Engineering Departments as well as the Clover Hill District Planning Commissioner. A minimum of forty-eight (48) hours prior to any clearing activity within this fifty (50) foot easement for the purpose of extending utilities to the property, the owner/developer shall notify the Utilities, Environmental Engineering and Planning Departments and the Clover Hill District Planning Commissioner of such proposed clearing. An inspector from each of these County departments and the Clover Hill District Planning Commissioner shall be on-site during this clearing process. Subsequent to such clearing, silt fencing shall be

installed in as determined appropriate by the Environmental Engineering Department. (S, U, EE & P)

- ii. An easement around the SWM/BMP, of a width necessary to accommodate pedestrian circulation for use by authorized personnel. This easement may be located within the boundaries of the BMP easement normally required by the Environmental Engineering Department. The easement shall be located within the fenced area described in Condition 5.b. The easement shall be posted with a sign stating: "No Trespassing-For Authorized Personnel Only." (S)

(NOTE: The purpose of Condition 5.c. is to provide a water quality teaching area north of the SWM/BMP and an easement around the SWM/BMP. It is the intent that the SWM/BMP and the area north of the SWM/BMP be used by several schools for the purpose of studying water quality monitoring techniques in the SWM/BMP and the outflow into the creek, north of the SWM/BMP, leading to the Swift Creek Reservoir. It is also the intent that the area be used to study the benefits of providing tree-save areas as riparian corridors adjacent to creeks. However, the area could be used for other purposes as may be determined by the County in the future, subject to Substantial Accord Approval).

6. BMP Design. Any above ground facilities required for water quantity or quality control shall be designed as wet ponds and shall be landscaped or otherwise improved so that the facilities become visual enhancements to, and amenities for, the project. At the time of plan review, a plan depicting this requirement shall be submitted for review and approval. (EE)
7. Sidewalks. Sidewalks shall be provided on both sides of Temie Lee Parkway and the extension of St. Elizabeth Drive. The exact location and design of sidewalks shall be approved at the time of plan review. (P)
8. All lots shall have access to both St. Elizabeth's Drive and Temie Lee Parkway. (P)
9. The minimum lot size shall be 15,000 square feet. Lots abutting Southshore Subdivision shall contain a minimum of 18,600 square feet. Lots abutting Lands End Subdivision shall contain a minimum of 43,250 square feet. Should any open space be provided between the proposed lots and the adjacent subdivisions noted herein, the minimum lot sizes noted herein shall continue to apply as though no open space separates the proposed lots from these adjoining developments. (P)
10. A maximum of two (2) lots shall be permitted to abut the Lands End Subdivision. (P)
11. Dwelling units shall have a minimum of 2,500 square feet of gross floor area adjacent to Lands End and Southshore subdivisions and 2,200 square feet of gross floor area adjacent to St. Clair subdivision. Should any open space be provided between the proposed lots and the

adjacent subdivisions noted herein, the minimum dwelling unit sizes noted herein shall continue to apply as though no open space separates the proposed lots from these adjoining developments. (BI & P)

12. All exposed portions of the foundation of each new dwelling unit shall be faced with brick or stone veneer. Exposed piers supporting front porches shall be faced with brick or stone veneer. (BI & P)
13. A single row of evergreen trees (Bayberry or similar species subject to Planning Department approval) a minimum of six (6) feet in height at time of planting, shall be planted, approximately ten (10) feet on center, along the uphill side of the RPA located on lots that abut Lands End Subdivision. The exact location of such landscaping shall be approved by the Planning Department. (P & EE)
14. The following shall be recorded as deed restrictions in conjunction with the recordation of any subdivision plat:
 - a) No lot shall be used except for residential purposes.
 - b) No initial improvements including, without limitation, a dwelling, accessory structure, or addition such as a carport, driveway, porch, sidewalk, roof, lamp post, fence, garage, or other outbuildings, landscaping, antenna (except as permitted by law), or similar device, or change in the exterior color or siding material shall be made, erected, altered, or replaced unless two sets of detailed plans and specifications, including a site plan locating all such improvements and describing exterior finishes (material and color, including roof) have first been submitted to and approved by Declarant in writing.
 - c) Declarant reserves unto itself the right and privilege to install gas lines, water lines, sewer lines, storm sewers, electric lines, telephone and telegraph poles, lines and wires, and other utilities and appurtenances in the street and roads of the Subdivision and along the property lines of the Lots, and to grant to other persons, companies, or corporations any or all of such rights and privileges, but the reservation of such rights shall not relieve any grantee from the obligation to pay the usual and customary charges made with respect to his Lot for the installation and/or connection of utilities.
 - d) In considering requests for approval of fences and hedges, the following general guidelines will be applied:
 - i. No fence shall be permitted in the front yard of any Lot (between the building setback line and street line).
 - ii. No fence or hedge shall generally be permitted higher than 48 inches of any Lot.
 - iii. No chain link fences or fences of other

materials similar in nature or appearance will be permitted on any Lot.

- e) Declarant may in its absolute discretion waive or modify these guidelines and consider such other criteria as it shall deem appropriate.
- f) No sign of any kind shall be displayed to public view on any Lot, unless first approved in writing by Declarant, except on sign of not more than four (4) square feet advertising the property for sale or rent, or signs used by a the initial construction and sales period.
- g) No use shall be made of any Lot, or any part thereof which constitutes a nuisance or which would adversely affect the value or marketability of other Lots, No stables, swine, sheep, cows, or the like shall be permitted on any Lot. All trash, garbage and/or rubbish shall be kept in sanitary containers located so as not to be visible from a public street except as necessary for limited times in connection with pickup and removal by disposal services and except during periods of construction.
- h) No driveway, entranceway, or sidewalk shall be constructed on any Lot unless approved as provided in paragraph b.
- i) No above ground swimming pools shall be permitted. No in-ground swimming pools shall be located nearer to any street line than the rear building line of the dwelling.
- j) No structure of a temporary character or any trailer, tent, barn, or other outbuildings shall be used on any Lot at any time as a residence, either temporarily or permanently.
- k) No trees over six (6) inches in diameter shall be removed from any Lot without the prior written approval of Declarant.
- l) No portable air conditions units will be place in any window of a dwelling or other building if visible from a public street.
- m) No exterior television antenna (including "dish" type) or other antennas shall be permitted to extend over five (5) feet above the roofline of any building, except as permitted by law.
- n) No motor vehicle will be parked on or adjacent to any Lot which does not have a current state license, state inspection sticker, and county license, and no commercial vehicle, such as a school bus, delivery truck, or other large vehicle or equipment will be parked on a street in the subdivision or on any Lot. No recreational vehicle (mobile home, camping trailer, and other similar vehicles) shall be parked on a street in the Subdivision or on a Lot except in a driveway shown on plans that have been approved as provided in Paragraph b.

- o) Any one or more of the covenants or restrictions imposed by paragraphs a through n above may be waived or modified, in whole or in part, as to the entire Subdivision or and part thereof, by written instrument signed by Declarant and recorded where these restrictions are recorded.
- p) In addition to the foregoing conditions and restrictions, the Lots shall be subject to easements for drainage and utilities, including power and telephone lines, as shown on the plat, and any other easements of record at the time of conveyance of any Lot.
- q) Invalidation of any one of the provisions of these restrictions by judgement, court order, or otherwise shall in no way affect any of the other provisions which shall remain in full force and effect.
- r) Declarant reserves the right to assign and transfer to any person, persons, or entity some or all of its rights provided herein and in such event such transferee shall have and may exercise all such rights to the same extent as if he, they, or it were the Declarant.
- s) Declarant shall have the full right and privilege to enforce all restrictions and conditions contained herein by appropriate proceeding at law for damages and/or in equity for appropriate injunctive relief and restraining orders to prevent violations, or to require violations to be corrected, together with damages sustained including, without limitation, attorneys' fees and costs. In addition, any Owner shall have, after seventy-five percent (75%) or more of the Lots have been conveyed to purchasers other than builders, the right to enforce compliance with these restrictions as provided in this paragraph.
- t) These restrictions shall run with the land and be binding upon any and all succeeding owners, their personal representatives, estates, heirs, devisees, assigns, or successors in interest or any other parties having or taking an interest in or to the Property, or any part thereof, and shall automatically be extended for successive periods of ten (10) years unless otherwise provided in a written instrument executed by the owners of a majority of the Lots in the Subdivision unless a release, waiver, or breach of any one or more of the restrictions contained herein or any part thereof is required or agreed to by a court or governmental authority having jurisdiction over the Property.
- u) The Declarant hereby reserves the right, at Declarant's sole discretion, to add the Additional Land to the property subject to the Declaration of Protective Covenants.
- v) The covenants and restrictions of this Declaration shall run with and bind the Properties and the Owners, for a term of twenty (20) years from the

date this Declaration is recorded, after which time they shall be automatically extended for three (3) successive periods of ten (10) years each unless revoked by a recorded instrument executed by the Owners of a majority of the Lots subject hereto. (P)

15. Prior to tentative subdivision approval, the developer shall submit certification to the Planning Department that all adjacent property owners of record in the Department of Real Estate Assessment, the last known representative of Southshore Homeowners Association on file with the Planning Department and the Clover Hill District Planning Commissioner have been notified in writing of the submission of the tentative plan to the County for review and approval. The tentative subdivision application shall not be considered complete until such certification has been submitted to the Planning Department. The fifteen (15) day period for appeal to the Planning Commission shall not commence until such certification has been provided. (P)

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

06SN0209

In Matoaca Magisterial District, CLOVER HILL ASSEMBLY OF GOD requests Conditional Use and amendment of zoning district map to permit a private school and child care center in an Agricultural (A) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for single family residential use of 2.0 units per acre or less. This request lies on 4.0 acres and is known as 12320 Bailey Bridge Road. Tax IDs 738-674-1979-Part of 00001 and Part of 00002.

Mr. Turner presented a summary of Case 06SN0209 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Paul Kluge, representing the applicant, stated the recommendation is acceptable.

Mr. King called for public comment.

No one came forward to speak to the request.

Mrs. Humphrey noted that a Bailey Bridge Road project is underway to replace the bridge and widen shoulders in the vicinity of the church.

Mrs. Humphrey then made a motion, seconded by Mr. Barber, for the Board to approve Case 06SN0209 and accept the proffered conditions.

Mr. Barber stated the county has done everything possible to prepare for the safety of those who travel in this area.

Mr. King called for a vote on the motion of Mrs. Humphrey, seconded by Mr. Barber, for the Board to approve Case 06SN0209 and accept the following proffered conditions:

1. Except where the requirements of the underlying Agricultural (A) zoning are more restrictive, any new development for school or child care use shall conform to the requirements of the Zoning Ordinance for commercial uses in Emerging Growth Areas, excluding buffer requirements. (P)
2. With the exception of playground areas which accommodate swings, jungle gyms or similar such facilities, outdoor play fields, courts, swimming pools and similar active recreational facilities shall be located a minimum of 100 feet from any proposed or existing single family residential lot line and a minimum of fifty (50) feet from any existing or proposed public road. Nothing herein shall prevent development of indoor facilities and/or parking within the 100 foot setback. Within the 100 foot setback and fifty (50) foot setbacks, a fifty (50) foot buffer shall be provided along the perimeter of all active recreational facilities except where adjacent to any existing or proposed public roads. These buffers shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers. These buffers and setbacks may be modified by the Planning Commission at the time of plan review. (P)
3. Any playground area (i.e., areas accommodating swings, jungle gyms or similar such facilities) shall be located a minimum of forty (40) feet from all property lines. A forty (40) foot buffer shall be provided along the perimeter of these recreational facilities except where adjacent to any existing or proposed public roads. These buffers shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers. These setbacks and buffers may be modified by the Planning Commission at the time of plan review. (P)
4. Any private school or child care use shall be conducted in association with church or other places of worship use on the property. (P)
5. Direct vehicular access from the property to Bailey Bridge Road shall be limited to one (1) entrance/exit. The exact location of this entrance/exit shall be approved by the Transportation Department. (T)
6. Left and right turn lanes shall be constructed along Bailey Bridge Road at the approved entrance/exit based on Transportation Department standards. The developer shall dedicate, free and unrestricted to and for the benefit of Chesterfield County, any additional right-of-way (or easements) required for these improvements. Prior to any site plan approval, a phasing plan for these improvements shall be submitted to and approved by the Transportation Department. (T)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

06SN0227

In Matoaca Magisterial District, GREENACRES LIMITED PARTNERSHIP requests rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-88). Residential use of up to 0.5 unit per acre is permitted in a Residential (R-88) District. The Comprehensive Plan suggests the property is appropriate for residential use of 1-5 acre lots, suited to R-88 zoning. This request lies on 171.6 acres fronting approximately sixty (60) feet on the west line of River Road approximately 1,450 feet south of Graves Road. Tax IDs 755-616-0604 and 755-617-9274.

Mr. Turner presented a summary of Case 06SN0227 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Ms. Carrie Coyner, representing the applicant, stated the recommendation is acceptable.

Mr. King called for public comment.

No one came forward to speak to the request.

On motion of Mrs. Humphrey, seconded by Mr. Warren, the Board approved Case 06SN0227 and accepted the following proffered conditions:

The Owner-Applicant in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successors or assigns, proffers that the development of the properties known as Chesterfield County Tax IDs 755-616-0604-00000, (170.1 Acres Parcel) and 755-617-9274-00000 (1.3 Acre Parcel) (the "Property") will be developed as set forth below; however, in the event the request is denied or approved with conditions not agreed to by the Owner-Applicant, these proffers and conditions shall be immediately null and void and of no further force or effect.

1. Cash Proffer. The applicant, subdivider, or assignee(s) (the "Applicant") shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each dwelling unit for infrastructure improvements within the service district for the property:
 - a. \$15,600 per dwelling unit if paid prior to July 1, 2006. At the time of payment, the \$15,600 will be allocated pro-rata among the facility costs as follows: \$5,331 for schools, \$602 for parks and recreation, \$348 for library facilities, \$8,915 for roads, and \$404 for fire stations; or
 - b. The amount approved by the Board of Supervisors not to exceed \$15,600 per dwelling unit prorated as set forth above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2005 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2006.
 - c. If, upon the mutual agreement of the Transportation Department and the Applicant, the Applicant

provides road improvements (the "Improvements"), then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value than that which would have been collected through the payment(s) of the road component of the cash proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the Applicant shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) ("Work"). Before any Work is performed, the Applicant shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.

- d. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)
- (2) Timbering. Except for the timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)
- (3) In conjunction with recordation of the initial subdivision plat or within sixty (60) days from a written request by the Transportation Department, whichever occurs first, forty-five (45) feet of right-of-way on the south side of River Road, measured from the centerline of that part of River Road immediately adjacent to the property shall be dedicated, free and unrestricted, to Chesterfield County. (T)
- (4) No direct vehicular access shall be provided from the property to River Road. (T)
- (5) Utilities: To facilitate the future extension of the public water system, a ten (10) foot permanent water easement shall be dedicated to Chesterfield County extending parallel to River Road, adjacent to the ultimate Right-of-way. (U)

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

17. PUBLIC HEARINGS

17.A. TO CONSIDER AMENDMENTS TO THE ZONING ORDINANCE RELATING TO MULTIFAMILY AND TOWNHOUSE USES PERMITTED IN C-3 AND C-4 DISTRICTS

Mr. Carl Schlaudt, Planning Administrator, stated this date and time has been advertised for a public hearing for the Board to consider amendments to the Zoning Ordinance relating to multifamily and townhouse uses permitted in C-3 and C-4 Districts. He further stated multifamily and townhouse uses are currently restricted uses in C-3 and C-4 Districts. He stated only 14 of the 2,900 properties with C-3 and C-4 designations are large enough to benefit from the existing ordinance, 8 of which were rezoned prior to the current ordinance; therefore, only 6 properties have questionable development rights. He further stated 5 of the 6 properties are either vested or have a Conditional Use Planned Development or Conditional Use approval. He stated the development rights of one remaining property (the EDCO property) would be affected by this action. He further stated the Planning Commission's recommended ordinance would preserve development right for properties zoned C-3, C-4 or C-5 if they were zoned after April 11, 1989 and before the effective date of the ordinance. He stated staff's recommendation does not include the grandfather clause.

In response to Mr. Miller's questions, Mr. Schlaudt stated townhouses are developable by right on properties zoned C-3, C-4 or C-5 with at least 34 acres. He further stated there are no other commercial zoning districts that allow townhouses by right.

Mr. King called for public comment.

Mr. Jim Theobald, representing owners of the EDCO property at Winterpock Road and Route 360, requested that the Board consider adopting the Planning Commission's recommendation. He stated staff's original recommendation would have taken the EDCO property owners' right to develop their property away unless they go through a vested rights determination or return to the Board and ask for a Conditional Use. He further stated the Planning Commission chose the date that was included in the C-3, C-4 and C-5 ordinance.

In response to Mr. Miller's question, Mr. Theobald stated the Edko property was zoned in 1997 when townhouses were allowed as a matter of right in C-3, C-4 and C-5 districts. He further stated the Planning Commission's recommendation would allow the EDCO property to be developed as it currently can be today as a matter of right, with the same restrictions.

There being no one else to speak to the ordinance amendments, the public hearing was closed.

Mr. Barber made a motion, seconded by Mr. Miller, for the Board to adopt the Planning Commission's recommendation.

Mr. King called for a vote on the motion of Mr. Barber, seconded by Mr. Miller, for the Board to adopt the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTIONS 19-159 AND 19-161 OF THE
ZONING ORDINANCE RELATING TO MULTIFAMILY AND
TOWNHOUSE USES PERMITTED IN C-3 and C-4 DISTRICTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 19-159 and 19-161 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:

Sec. 19-159. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-3 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

(j) Residential multifamily and townhouses, provided that:

(1) No more than 30 percent of the gross acreage zoned C-3, C-4 or C-5 of any project may be used for R-MF or R-TH uses; provided further that the acreage to be used for R-MF or R-TH uses was zoned C-3, C-4 or C-5 after April 11, 1989 and prior to [the date of adoption of this ordinance]. Such uses shall be incorporated into an integrated schematic plan.

(2) No such residential uses shall be permitted until the following requirements are satisfied:

a. Construction has begun on a minimum of 50 percent of the gross site area devoted to nonresidential uses;

b. The minimum size for a project incorporating R-TH uses is 34 gross acres zoned C-3, C-4 or C-5, while the minimum size for a project incorporating R-MF uses is 67 gross acres zoned C-3, C-4 or C-5; and

c. Such uses comply with the requirements of the R-TH District or the R-MF Zoning District, except that densities for multifamily uses may be increased to 14 units per acre.

(k) Prepared food and fruit and vegetable vendors, provided that:

(1) Only prepared food fruits and vegetables shall be sold;

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Sec. 19-161. Conditional uses.

The following uses may be allowed by conditional use in the C-3 District, subject to the provisions of section 19-13:

- (a) Any conditional use allowed in the C-2 District, unless previously permitted in this district.
- (b) Computer controlled variable message electronic signs.
- (c) Multiple-family dwellings.
- (d) Townhouses.
- (e) Subject to the following requirements, other uses which are not specifically enumerated in this chapter and which are of the same general character as the specifically enumerated uses allowed in this district. Before the planning commission and board of supervisors hear an application pursuant to this subsection, the director of planning shall consider, among other things, the following: the size and proposed configuration of the site; the size, height and exterior architectural appearance of any proposed structure or structures; noise; light; glare; odors; dust; outdoor activities; traffic; parking; signage; and hours of operation. Based on these considerations, he shall determine that the proposed use's operating characteristics are substantially similar to, and its impact on neighboring properties no greater than, the operating characteristics and impacts of the specifically enumerated uses allowed in this district.

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(2) That this ordinance shall become effective immediately upon adoption.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

17.B. TO CONSIDER THE APPROPRIATION OF ADDITIONAL FUNDS FOR THE ROUTE 360 (SWIFT CREEK TO WINTERPOCK ROAD) COMBINED WIDENING PROJECT

Mr. McCracken stated this date and time has been advertised for a public hearing to consider the appropriation of additional funds for the Route 360 Combined Widening Project and authorization to award a construction contract. He further stated, since the bid report was prepared, the contractor has convinced the engineer that an additional \$1.3 million above the estimate should have been factored into the bid. He stated the bid is above the county's estimate for the project, resulting in a \$4 million shortfall. He further stated the Board is being asked to appropriate an additional \$2 million anticipated from the Virginia Department of Transportation (VDOT). He stated VDOT has not yet agreed to provide the funding.

Discussion ensued relative to the county incurring the expense of road projects and then being reimbursed by VDOT.

In response to Mr. Miller's question, Mr. McCracken stated the language that is included in agreements with VDOT today makes reimbursement subject to appropriation by the Commonwealth Transportation Board. He stated the Board previously concluded that, although there is no legal obligation for the state to reimburse the county, there is a moral obligation.

Mr. Miller expressed concerns that VDOT is transferring more liability for roads to local governments.

Mr. McCracken stated he believes it would be extremely difficult for the state to walk away from its moral obligation to reimburse the county. He further stated voters approved this project in the bond referendum by 87 percent, and the county has imposed zoning conditions so that 40 percent of the widening of Route 360 has been built by developers. He stated he sees this as an opportunity for the state to show the county that they will be a partner if the county continues to try to help funding road projects. He further stated VDOT has informed the county on numerous occasions that the Route 360 Widening Project is their number one priority; therefore, he believes there is a strong desire on their part to help the county get the road built.

Mr. Barber expressed concerns that the state's responsibility to get road projects started is now becoming the county's responsibility.

Discussion ensued relative to the aggressive construction schedule for the project and the costs that the contractor will incur if the project is not completed on schedule.

Mr. McCracken stated the westbound lanes should be functional by the end of the year, and the eastbound lanes should be completed by August 2007.

Mrs. Humphrey stated she anticipates the state passing the responsibility for maintaining local roads on to the localities.

Mr. King called for public comment.

Ms. Marleen Durfee, Executive Director of the Responsible Growth Alliance, stated she greatly supports the project, although it will not solve all of the county's transportation problems. She expressed concerns relative to major road infrastructure issues in the Upper Swift Creek area, indicating that Otterdale and Woolridge Roads are in a crisis situation.

There being no one else to speak to the issue, the public hearing was closed.

On motion of Mrs. Humphrey, seconded by Mr. Warren, the Board appropriated an additional \$2 million in anticipated Virginia Department of Transportation reimbursements for the Route 360 (Swift Creek to Winterpock Road) Combined Widening Project; awarded a \$14,994,450.50 construction contract, subject to Virginia Department of Transportation and Federal Highway

Administration concurrence, to Branscome Richmond for the project; and rejected Branscome's \$395,942 alternate bid.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

Mrs. Humphrey excused herself from the meeting.

17.C. TO CONSIDER AN ORDINANCE TO VACATE A PORTION OF A TEN-FOOT EASEMENT ACROSS LOT 19, STOCKLEIGH, SECTION 2

Mr. Stith stated this date and time has been advertised for a public hearing for the Board to consider an ordinance to vacate a portion of a 10-foot easement across Lot 19, Stockleigh, Section 2.

Mr. King called for public comment.

No one came forward to speak to the ordinance.

On motion of Mr. King, seconded by Mr. Barber, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to CENTEX HOMES, a Nevada General Partnership, ("GRANTEE"), a portion of a 10' easement across Lot 19, Stockleigh, Section 2, BERMUDA Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 153, at Page 78.

WHEREAS, CENTEX HOMES, petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a portion of a 10' easement across Lot 19, Stockleigh, Section 2, BERMUDA Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 153, Page 78, by TIMMONS GROUP, dated JULY 5, 2004, revised NOVEMBER 12, 2004, and recorded MAY 4, 2005. The portion of easement petitioned to be vacated is more fully described as follows:

A portion of a 10' easement, across Lot 19, Stockleigh, Section 2, the location of which is more fully shown on a plat made by BALZER AND ASSOCIATES, INC., dated MARCH 31, 2006, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the portion of easement sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid portion of easement be and is hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vest fee simple title of the portion of easement hereby vacated in the property owner of Lot 19, within Stockleigh Subdivision, Section 2 free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and CENTEX HOMES, a Nevada General Partnership, or its successors in title, as GRANTEE.

Ayes: King, Miller, Barber and Warren.

Nays: None.

Absent: Humphrey.

17.D. TO CONSIDER AN ORDINANCE TO VACATE A PORTION OF AN EIGHT-FOOT EASEMENT AND A PORTION OF A SIXTEEN-FOOT DRAINAGE EASEMENT WITHIN KING'S GROVE, SECTION 3 AND A RESUBDIVISION OF LOTS 41-44, SECTION G, JESSUP FARMS

Mr. Stith stated this date and time has been advertised for a public hearing for the Board to consider an ordinance to vacate a portion of an 8-foot easement and a portion of a 16-foot drainage easement within King's Grove, Section 3 and a resubdivision of Lots 41-44, Section G, Jessup Farms.

Mr. King called for public comment.

No one came forward to speak to the ordinance.

On motion of Mr. Miller, seconded by Mr. Barber, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to GREENFEAF PROPERTIES, INC., a Virginia corporation, ("GRANTEE"), a portion of an 8' easement and a portion of a 16' drainage easement within King's Grove, Section 3 and a Resubdivision of Lots 41-44, Section G, Jessup Farms, DALE Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 162, at Page 84.

WHEREAS, GREENLEAF PROPERTIES, INC., petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a portion of an 8' easement and a portion of a 16'

drainage easement within King's Grove, Section 3 and a Resubdivision of Lots 41-44, Section G, Jessup Farms, DALE Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 162, Page 84, by BARTHOL DESIGN ASSOCIATES, dated AUGUST 23, 2005, and recorded FEBRUARY 6, 2006 dedicated by plat of Jessup Farms, Section G, recorded in the aforesaid Clerk's Office in Plat Book 135, Pages 5 and 6. The portions of easements petitioned to be vacated are more fully described as follows:

A portion of an 8' easement and portion of a 16' drainage easement across Lots 12 thru 15, King's Grove, Section 3 and a Resubdivision of Lots 41-44, Section G, Jessup Farms, the location of which is more fully shown on a plat made by BARTHOL DESIGN ASSOCIATES, dated MARCH 23, 2006, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the portions of easements sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid portions of easements be and are hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vest fee simple title of the portions of easements hereby vacated in the property owner of Lots 12 thru 15, King's Grove, Section 3 and a resubdivision of Lots 41 thru 44, Section G, Jessup Farms free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and GREENLEAF PROPERTIES, INC., a Virginia corporation, or its successors in title, as GRANTEE.

Ayes: King, Miller, Barber and Warren.
Nays: None.
Absent: Humphrey.

Mrs. Humphrey returned to the meeting.

**17.E. TO CONSIDER AN ORDINANCE TO VACATE EXCESS RIGHT OF WAY
ALONG ROBIOUS ROAD WITHIN KING'S FARM AT RIVERDOWNS
SUBDIVISION**

Mr. Stith stated this date and time has been advertised for a public hearing for the Board to consider an ordinance to vacate excess right of way along Robious Road within King's Farm at Riverdowns Subdivision.

Mr. King called for public comment.

No one came forward to speak to the ordinance.

On motion of Mr. Barber, seconded by Mr. King, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to RIVER DOWNS, L.C., a Virginia limited liability company, ("GRANTEE"), excess right of way within King's Farm At Riverdowns subdivision, MIDLOTHIAN Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 121, at Page 11.

WHEREAS, BALZER AND ASSOCIATES, INC., petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate excess right of way within King's Farm At Riverdowns subdivision, MIDLOTHIAN Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 121, Page 11, by BALZER AND ASSOCIATES, INC., dated JULY 24, 2001. The right of way petitioned to be vacated is more fully described as follows:

2.195 acres of right of way lying south of Robious Road within King's Farm At Riverdowns subdivision, the location of which is more fully shown on a plat made by BALZER AND ASSOCIATES, INC., dated MAY 22, 2006, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the right of way sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid right of way be and is hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of

the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vest fee simple title of the right of way hereby vacated in the adjacent property owner free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and RIVER DOWNS, L.C., a Virginia limited liability company, or its successors in title, as GRANTEE.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

18. REMAINING MANUFACTURED HOME PERMITS AND ZONING REQUESTS

06SN0205

In Dale Magisterial District, GOLF CONNECTION, LLC requests amendment of Conditional Use (Case 88SN0148) and amendment of zoning district map relative to setbacks for outdoor recreational facilities. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 1-5 acre lots, suited to R-88 zoning. This request lies in a Residential (R-25) District on 160.7 acres fronting in three (3) places on the north and south sides of Highland Glen Drive. Tax ID 764-644-7996.

Ms. Beverly Rogers presented a summary of Case 06SN0205 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions, noting that the requested exceptions are similar to those allowed for other recreational facilities in residential communities throughout the county. She further stated staff received 22 letters in support of the application.

Ms. Carrie Coyner, representing the applicant, stated the recommendation is acceptable. She further stated the majority of The Highlands residents support the request. She stated the applicant has tried to work with the adjoining resident (Mr. Smith) who opposes the request by providing landscape and berming to reduce light and noise.

Mr. Jeff Collins, also representing the applicant, provided the Board with a depiction of the proposed landscape and berming for the project. He stated headlights of vehicles going towards Mr. Smith's residence would be totally blocked by the berm. He further stated the only thing that would be visible from the second floor of Mr. Smith's house would be the roof of the clubhouse. He stated the bulk of activity for functions outside would occur on the opposite side of the clubhouse from Mr. Smith's home. He further stated, in his opinion, the applicant has adequately screened the proposed development from Mr. Smith.

Discussion ensued relative to the distance of the proposed development from Mr. Smith's property line.

Mr. King called for public comment.

Minister Gerard Smith, adjacent resident, expressed concerns relative to noise at the proposed clubhouse. He requested that the Board defer the request until an acoustical engineer can determine how the noise will affect the quiet enjoyment of his property or hinder the progress of his six-year-old child who is home-schooled. He stated he understands that sound travels and requested that the noise level be restricted to 65 decibels during certain periods.

Mr. G. T. Hawkins, a resident of The Highlands, stated many of the residents of The Highlands support the proposed development and feel it will be an excellent addition to the community.

There being no one else to speak to the request, the public hearing was closed.

Ms. Coyner stated nothing blocks the outdoor functions at the current clubhouse from Mr. Smith's property. She further stated there have been no complaints from any of the activities that have been held at the clubhouse. She stated in addition to blocking headlights from Mr. Smith's home, the berm will also help to block noise from the property. She requested that the Board approve the request and accept the proffered conditions.

Discussion ensued relative to the composition of the proposed berm.

In response to Mr. Barber's questions, Ms. Coyner stated the berm fell short of Mr. Smith's expectations.

At Mr. Miller's request, approximately 20 people in the audience stood in support of the request.

Mr. Miller stated he believes the applicant has made a considerable amount of effort to address noise issues. He further stated there will be no recreational activity close to Mr. Smith's property, and the applicant is providing some degree of improvement for blocking headlights from Mr. Smith's property when vehicles go through the present entranceway. He noted there is a tremendous amount of support for the request.

Mr. Miller then made a motion, seconded by Mr. King, for the Board to approve Case 06SN0205 and accept the proffered conditions.

Mrs. Humphrey encouraged Planning staff to make Mr. Smith aware of any other avenues he may have for input regarding the proposed development.

Mr. King called for a vote on the motion of Mr. Miller, seconded by Mr. King, for the Board to approve Case 06SN0205 and accept the following proffered conditions:

1. Outdoor play fields, courts, swimming pools and similar active recreational areas shall be located a minimum of

100 feet from any single family residential lot line. The golf course and related appurtenances shall not be considered as an active recreational area. (P)

2. A fifty (50) foot buffer shall be provided along the perimeter of all active recreational facilities where adjacent to single family residential lots. This buffer shall conform to the requirements of the Zoning Ordinance for buffers, Section 19-522(2). (P)
3. Prior to the issuance of a certificate of occupancy for indoor recreational use on the portion of the request property adjacent to Tax ID 765-645-3181, a landscaped berm shall be installed along the property line abutting Tax ID 765-645-3181. The exact design and treatment of the berm shall be approved by the Planning Department at the time of site plan approval for such indoor recreational use. The berm shall be irrigated.

(Note: Conditions 1, 2 and 3 supersede Condition 10 of Case 88SN0148.)

Ayes: King, Miller, Barber, Humphrey and Warren.
Nays: None.

Mr. King requested a brief recess.

Reconvening:

05SR0330

In Matoaca Magisterial District, JAMES F. THACKER requests a Conditional Use and Conditional Use Planned Development and amendment of zoning district map to permit a bed and breakfast and special events business incidental to a dwelling unit and to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for single family residential use of 2.0 units per acre or less. This request lies on 42.4 acres and is known as 4701 and 4801 Woolridge Road. Tax IDs 720-681-Part of 0327 and 720-682-0474 and 3924.

Ms. Peterson began presenting a summary of Case 05SR0330.

Mr. King stated this case involves, in part, a request to operate a bed and breakfast and special events business. He further stated the business, which he owns, Kings Korner Enterprises, Incorporated, has contracted with the applicant to provide food services and catering. He then declared a conflict of interest under the Virginia Conflict of Interest Act, and excused himself from the meeting.

Ms. Jane Peterson continued to present a summary of Case 05SR0330 and stated a noise study was conducted by a certified sound engineer to address residents' concerns. She further stated Proffered Condition 10 has been amended to limit the level of amplified sound equipment to 50 decibels as measured at the boundaries of various communities. She stated the Planning Commission, on a vote of 4-1, recommended

approval of the renewal of the Conditional Use, noting that the conditions will minimize the impact on area residential development. She further stated the Planning Commission, on a vote of 5-0, recommended approval of the requested exceptions relative to paving and driveway widths, indicating that the residential appearance of the property will be maintained and runoff into the reservoir will be limited. She stated the Planning Commission has recommended that the Conditional Use permit be granted for three years and that the noise limitations apply to all uses rather than just amplified sound. She further stated staff has received one petition in support with 56 signatures; one letter opposing the request with 25 signatures; and one opposition petition with 38 signatures.

Mr. Andy Scherzer, representing the applicant, stated the Thackers have responded to every issue the neighbors have raised. He further stated the nearest neighbor is approximately 1,100 feet away from where the special events occur. He stated, as a result of the sound consultant's study, the applicant has reoriented how sound is directed to the various neighbors to minimize the impact of noise. He further stated the applicant has reduced the noise level to 50 decibels at the perimeter of the property line, which is far below what many jurisdictions hold as a minimum standard. He stated there is no county ordinance establishing a minimum sound level. He further stated the applicant has purchased sound equipment that limits power and measures tamper-proof sound level documentation. He stated the subject property is one of the last remaining undeveloped corridors surrounding the lake. He further stated the applicant has provided visual open space by virtue of the use and has limited the ability to develop on his own adjacent property to show neighborliness in protecting the quality of life in the area. He stated the applicant has agreed to provide additional right of way along Woolridge Road. He further stated, although it was not a part of the original Board of Zoning Appeals Conditional Use approval, the applicant has provided proffered conditions that will limit the number of events per week and the number of people for each event.

Mr. Miller called for public comment.

Mr. C. L. Morrisette stated this is a needed facility in the county and requested the Board's approval.

Ms. Marty Mitchell, representing the Woodlake Community Association Board of Directors, stated she supports the bed and breakfast and special events use. She requested that the Board defer for one year approval of the conditional use permit to allow the applicant to make adjustments to limit all noise at the property line to 50 decibels or less and allow time to evaluate the effect of the adjustments. She stated she supports the limitations on the number of events. She further stated approving a three-year Conditional Use permit after the one-year deferral will help to assure timely future reviews of compliance with the Conditional Use permit as opposed to continuing it indefinitely.

Ms. Abrielle Taylor-Levine, a Woodlake resident, stated the owners of the business care about their neighbors and have resolved all issues raised as quickly as possible. She

further stated, in her opinion, a permanent Conditional Use permit seems fitting for these responsible business owners.

Ms. Laurie Newell, a Brandermill resident, stated she appreciates the conditions recommended by the Planning Commission, but does not think they are sufficient to address the neighbors' concerns. She further stated, in her opinion, the hours of operation are excessive, and requested that the Board limit the hours to 9 p.m. during the week and no later than 11 p.m. on the weekend. She stated the noise occurs not only because of music, but also the crowd. She further stated she concurs with the restriction on the number of people per event, but thinks the number of events per week should be limited to three rather than five. She expressed concerns as to whether or not the sound equipment will work and requested a one-year renewal before approving a three-year renewal.

Mr. Martin Rust, a resident of Clipper Cove, stated he has had no issues with noise and supports the proposal with as few limitations as possible.

Mr. David Young, a Brandermill resident, stated he enjoys quiet and does not want to hear noise from the facility. He further stated he obtained his own sound consultant who recommended that the sound levels be kept at 43 decibels and the low frequency noise level be kept at a non-obtrusive level. He provided details of equipment that will record noise decibel levels and stated he hopes the Board will consider checks and balances using equipment such as this rather than just relying on the integrity of the applicant.

Mr. Barber inquired whether Mr. Young had contacted the county with a noise complaint prior to the application for renewal of Conditional Use.

Mr. Young stated he heard the noise, but it was his understanding the applicant had a Conditional Use and nothing could be done; therefore, he waited until the renewal came up to voice his concerns.

In response to Mr. Barber's question, Mr. Micas stated there is a county ordinance that limits unreasonably loud noise that creates a nuisance at any time of a day.

Mr. Brent Smith, a resident of Birch Trace Road in Brandermill, stated he did complain about the noise and received a letter from the Police Department about one of the complaints he made in 2003. He further stated he does not think the residents understood that complaining about the noise would have a significant effect on the renewal of the Conditional Use. He requested that none of the restrictions imposed by the Planning Commission or proffered by the applicant be reduced. He also requested that the Board approve the renewal for one year initially to see how the new sound abatement procedures work, before a subsequent renewal of three years. He suggested that a county policy be developed that no Conditional Use permit should ever be approved for more than three years. He stated a business of this type can be successful without being noisy.

Mr. Scott Nagle, a resident of Clipper Cove, stated a petition was presented to the Board regarding some of the issues at Celebrations. He stated he has had to turn up his

TV on a few occasions to hear it above the noise. He further stated he believes the applicant is taking the proper steps to respond to the noise issue, indicating that a one-year renewal should provide time to see if the tactics work.

Dr. Anthony Giordano, representing the Brandermill Community Association Board of Directors, stated the Board supports the request by and large and wants Celebrations to succeed. He further stated there are still a few remaining concerns, including use of portable toilets for large crowds; hours of operation; and noise and how the boundary limits will be monitored. He stated the hours of operation should be in accordance with County Code, restricting outdoor music between 9 p.m. and 7 a.m. within 200 yards of another dwelling. He further stated the 50-decibel noise limitation was based on a test that was administered between 9 a.m. and 3 p.m. on a weekday, indicating that most of the events will occur on evenings and weekends. He stated noise becomes intrusive when the additional sound is a lot louder than the ambient noise in the area.

Ms. Marleen Durfee, Executive Director of the Responsible Growth Alliance of Chesterfield, stated she appreciates business owners like the Thackers who listen to the residents and try to address their concerns. She inquired whether the Planning Commission has analyzed any policies or procedures for concerns that citizens would have with special events. She stated it is the citizens' responsibility to bring complaints to the county, and expressed concerns relative to the county's enforcement of the noise level limitations.

Mr. Scherzer stated the conditions imposed by the Planning Commission were actually the applicant's proffered conditions. He expressed appreciation to the Planning Commission for listening to the sound consultants before recommending approval. He stated the applicant is willing to accept the Planning Commission's recommendation relative to amplified and spoken noise. He further stated the applicant has already been through a three-year Conditional Use period and expressed concerns relative to an additional time limitation, indicating that this will limit the ability of the business to succeed, as brides want to know well in advance where their weddings will be held. He stated Celebrations has been a good neighbor and is an asset for the county. He requested that the Board base Celebrations' right to operate solely on the same rules and regulations that govern all other similar businesses in the county.

There being no one else to speak to the issue, the public hearing was closed.

Discussion ensued relative to the equipment that will limit the output and control the sound levels.

Mr. Scherzer stated it is his understanding that the equipment has a tamper-proof recording device that can provide written documentation for all the events that occur. He further stated staff will investigate noise complaints, and the applicant will be able to provide documentation using the specialized equipment.

In response to Mrs. Humphrey's question, Mr. Scherzer stated if the adjacent property currently owned by the Thackers that

is not a part of this zoning case were to be rezoned in the future, the bed and breakfast and special events facility would cease to operate, regardless of the ownership of the property.

Discussion ensued relative to the Police Department's investigation of noise complaints.

Ms. Peterson stated there have been three disturbance calls at this address since January 1, 2002 that the Police Department indicated could possibly have been related to noise, but none resulted in an offense report.

Mr. Barber stated he is grateful that the trees will be remaining in place. He further stated he believes there would have been more than three complaints since 2002 if the facility were a nuisance. He stated the county lacks businesses such as this, and he thinks the reservoir, neighbors, community in general and the county will be much better served by this business, which preserves open space, than with additional residential development. He further stated he is inclined to support the request for as long as the applicant is willing to operate the facility.

Mr. Warren expressed concerns relative to measuring of noise and stated he will have trouble supporting the request because of difficulty of the Police Department in enforcing the noise restrictions.

Mr. Miller stated he will support the request for several reasons, indicating that he feels the amount of inconvenience of the noise, as evidenced by the record, is almost de minimis.

Mrs. Humphrey stated the opportunity to preserve this much green space on the reservoir is a significant contribution. She further stated the applicant is providing a scientific means of dealing with noise and will be held accountable for the noise level. She stated she believes the applicant merits a permanent use as long as the business is operating.

Mrs. Humphrey then made a motion, for the Board to approve Case 05SR0330 subject to conditions, with the deletion of "for a period not to exceed three (3) years from the date of approval" from Condition 1.

Mr. Barber seconded the motion.

Mr. Miller called for a vote on the motion of Mrs. Humphrey, seconded by Mr. Barber, for the Board to approve Case 05SR0330 subject to the following condition for the Conditional Use Planned Development:

All "gravel" parking areas and drives as shown on the Master Plan shall have a minimum surface of six (6) inches of No. 21 or 21A stone. (P)

And, further, subject to the following conditions for the Conditional Use:

1. This Conditional Use shall be granted to and for James F. or Paulanne H. Thacker or their immediate family, exclusively. (P)

2. This Conditional Use shall be limited to the operation of a Special Events business and a Bed and Breakfast. (P)
3. The plan prepared by Balzer and Associates, P.C., revised October 31, 2005 and titled "Celebrations at the Reservoir Affected Area Plan" shall be considered the Master Plan. Other than normal maintenance and cosmetic enhancements, there shall be no exterior additions or alterations to the improvements on this Plan, nor any new construction, to accommodate this use. This is in no way intended to restrict Celebrations periodic use of tentage with flooring, concourse and marquee as noted within the event areas and parking areas of the Master Plan. (P)
4. One sign, a maximum of sixteen (16) square feet in area, shall be permitted to identify both the Special Events business and Bed and Breakfast. (P)
5. Any freestanding lighting shall not exceed twenty (20) feet in height. (P)
6. The days and hours that the Special Events business shall be open to the public shall be as follows:
 - a. Monday and Tuesday, closed, except for 1) nationally recognized holidays which may be open from 9:00 a.m. to 11:00 p.m., and 2) New Year's Eve as noted in 6.e.
 - b. Wednesday and Thursday, from 10:00 a.m. to 11:00 p.m., with any music or live entertainment ending at 10:00 p.m.
 - c. Friday and Saturday, from 10:00 a.m. to 12:00 a.m., with any music or live entertainment ending at 11:00 p.m.
 - d. Sunday, from 12:30 p.m. to 10:00 p.m., with any music or live entertainment ending at 9:00 p.m.
 - e. New Year's Eve, from 12:30 p.m. to 2:00 a.m., with any music or live entertainment ending at 1:00 a.m.
7. At no time shall more than two hundred eighty three (283) passenger vehicles be on the premises during Special Events. (P)
8. Within sixty (60) days from the date the Board of Supervisors approves the Conditional Use request, forty-five (45) feet of right-of-way along the East side of Woolridge Road, measured from the centerline of that part of Woolridge Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the County of Chesterfield. (T)
9. Direct vehicular access from the property to Woolridge Road shall be limited to two (2) entrances/exits, as generally shown on the plan prepared by Balzer and Associates Inc., titled "Celebrations at the Reservoir Affected Area Plan" with a latest revision date of October 31, 2005. Any modification to these access

locations shall be approved by the Transportation Department. (T)

10. The bed and breakfast and special events uses shall be designed and operated so as not to generate noise levels above 50 dB(a), as measured at the boundaries of the Brandermill Communities and the Highberry Woods, Clipper Cove, Rock Harbour, Red Fern Station, Kingspoint, and Waterviews at the Reservoir Subdivisions; and Tax IDs 717-681-6767; 717-682-6832; 718-681-3676; 718-680-1818; 718-682-9783; 718-685-8949; 719-685-4753; 726-683-2083; and 720-681-0327. (P)
11. All entertainment for special events shall be limited to recorded music, disk jockey and live musicians limited to soloists or group performances with 5 persons or less without the use of amplification. This condition shall apply subsequent to November 1, 2007. (P)
12. In the event that Tax ID 720-681-0327 is rezoned and subdivided to permit a residential subdivision the operations of a special events business shall no longer be permitted. (P)
13. A maximum of five (5) special events per week shall be permitted. Attendance at special events shall be restricted to a maximum of 250 individuals at any one (1) function. (P)

Ayes: Miller, Barber and Humphrey.

Nays: Warren.

Abstain: King.

Mr. King returned to the meeting.

19. **FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS**

Mr. C. L. Morrisette stated, in his opinion, the Board cannot have discussion after a motion is on the floor and also cannot amend a proffered condition to make it less restrictive. He expressed concerns relative to the legality of county zoning ordinances and requested that they be sent to the Attorney General for review. He also expressed concerns that his property assessment increased 200 percent this year.

Mr. Warren stated this is the second time Mr. Morrisette has expressed concerns regarding the legality of the county's zoning ordinances and inquired how the Board can determine whether or not the county's zoning ordinances are legal.

Mr. Ramsey stated Chesterfield has the most professional legal staff in the State of Virginia, and that should give the Board confidence that the zoning ordinances are legal.

Mr. Warren inquired whether the county has been challenged regarding the wording of its zoning ordinances.

Mr. Micas stated the county's zoning ordinances have not been overturned by any court, and he is not aware of any recent

zoning cases in which the Board's decision has been overturned. He further stated the County Attorney's office has successfully defended the county's zoning ordinances in the Virginia Supreme Court, Federal Court, the U.S. Supreme Court. He stated his office, along with Planning staff, continually modify and make recommendations to modify zoning ordinances as the laws change. He further stated there are no cases in which people have found the county ordinances to be deficient.

Mr. Miller stated he sees no merit to Mr. Morrisette's allegations, indicating that he has confidence in the County Attorney.

Mr. Warren inquired whether anyone in the Attorney General's office reviews local zoning ordinances.

Mr. Micas stated the job of the Attorney General's office is to provide opinions on state statutes and typically leave local ordinances to the courts rather than intervening.

Mr. King stated he cannot see any reason for the Board to challenge the county's attorneys.

Mr. Barber stated the county has a professional legal staff with a long history. He further stated Mr. Micas is seen as a "dean" of county attorneys throughout the state and is called upon by neighboring jurisdictions when a conflict arises with their attorney.

Mr. Warren stated he has seen Mr. Micas in action and has the best respect for him. He further stated his questions were strictly for understanding of the process for reviewing county zoning ordinances.

20. ADJOURNMENT

On motion of Mr. Miller, seconded by Mr. Barber, the Board adjourned at 10:42 p.m. until June 28, 2006 at 3:00 p.m.

Ayes: King, Miller, Barber, Humphrey and Warren.

Nays: None.

Lane B. Ramsey
County Administrator

R. M. "Dickie" King, Jr.
Chairman